

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS,
STRATA PLAN LMS-572 BIRCH GARDENS
HELD ON MONDAY, DECEMBER 7, 2009 AT 6:30 PM
WITHIN THE COMMON ROOM AT 1318 WEST 6TH AVENUE, VANCOUVER, BC**

1. CALL TO ORDER

The meeting was called to order by the Property Manager Mr. Rick Woolley at 6:36 pm.

2. CALLING OF THE ROLL AND CERTIFICATION OF PROXIES

The attendance register confirmed at the time of commencement of the meeting there were eight (8) eligible voters in attendance and one (1) represented by proxy for a total of nine (9). The required quorum had been met and the meeting proceeded.

3. PROOF OF NOTICE OF MEETING OR WAIVER OF NOTICE AND ACKNOWLEDGEMENT OF RECEIPT OF FINANCIAL STATEMENTS

It was then moved and seconded that the Notice of the Annual General Meeting dated November 17, 2009 complied with all appropriate notice requirements as contained in the Strata Property Act and the bylaws of the Strata Corporation and the financial statements had been duly received.

There being no discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 9 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.

4. APPROVAL OF THE MINUTES OF THE ANNUAL GENERAL MEETING HELD ON NOVEMBER 26, 2008

There being no errors or omissions it was then moved and seconded to approve the minutes of the Annual general Meeting held on November 26, 2008 as previously circulated.

There being no discussion question was called and the Chair then declared the MOTION CARRIED with the result being 9 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.

5. PROOF OF CERTIFICATE OF INSURANCE COVERAGE

After a brief review regarding agenda procedures it was then moved and seconded that the notice of insurance coverage had been duly served in accordance with the Strata Property Act.

There being no additional discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 9 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.

6. APPROVAL OF THE PROPOSED OPERATING BUDGET

It was then moved and seconded to adopt the proposed Operating Budget as presented.

2009 Financial Review – Treasurer's Report:

As at October 31, 2009 our contingency reserve balance is \$52,639.27. Our current annual contribution is \$9,000.00 per year.

It is important that we maintain our annual contribution at this level (or higher) as our building is aging and there will be projects in the coming years that will require funding from the contingency.

We have one unit in arrears at this time and we have worked closely with the Property Manager and our

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legal representatives to ensure that our position is secured. We anticipate that this account will shortly be up to date.

The Council has worked very hard again this year to ensure that we are obtaining the best service at a reasonable cost. We are fortunate that we work with several suppliers who have provided good service over many years to Birch Gardens. It takes a lot of time to source new suppliers and they are difficult to locate.

We changed our window washing company along with our Fire Service provider seeking better value and service.

Approximately 1/3 of our budget each year is for Gas and Insurance. Combined they account for \$21,500.00. If owners continue to increase usage for their gas fireplaces at the level we have experienced in the past two years our Gas expense will be the largest single expense.

We anticipate that we will complete 2009 approximately \$2,000.00 under budget. This will enable us to cover the \$1,798.17 that we were over budget last year.

In preparing a budget it is always our best guess as to what we will need to provide services at a fair price and maintaining Birch Gardens as a building we can be proud of.

In looking at the trends of 2009 and prior years it appears that we are positioned well for 2010 and can budget at the same level for next year. As costs continue to rise I would anticipate that we will see a maintenance fee increase in 2011.

I would like to thank the Council for all their work this past year in making this another successful year. Without their hard work and effort we would not be where we are today.

For those of you that are paying your maintenance by post dated cheques, please ensure you provide Croft with post dated cheques for 2010. If you are on pre-authorized debt there is nothing to do. Anyone on post dated cheques that does not provide Croft cheques prior to January 2, 2010 will be fined.

Discussion

It was confirmed that the monthly financial statement is posted for all owners to consider after it is reviewed by Council. An increase in the contribution to the Contingency Reserve is planned so that any future repairs that may result from normal maintenance can be addressed. The Council has worked with many contractors that have provided good service at reasonable prices. These established relationships have resulted in savings for the Strata Corporation. Also, Council thanked the volunteers for their help with various cost saving measures such as snow shovelling, general fix ups, and some garbage clean ups by many as well as photocopying donated by Veena Mallal. The combined efforts of all have helped keep the

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overall expensed as low as possible. It was noted that several changes that have taken place this year such as a new window cleaning and fire and security inspection contractor were undertaken in an effort to improve service and control costs.

The budget for 2010 was then approved by a unanimous vote.

Owners were reminded that those using post dated cheques must make sure to have their cheques for 2010 submitted to Croft Agencies Ltd. before January 2, 2010 in order to avoid a late payment fine.

There being no additional discussion, question was called and the Chair then declared the MOTION CARRIED with the result being 9 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.

PLEASE SEND TWELVE (12) POST-DATED CHEQUES PAYABLE TO "STRATA PLAN LMS-572".

If you have any questions regarding your account, please contact the Accounting Department at Croft Agencies Ltd. at 604-535-8080.

GENERAL DISCUSSION

A) Garbage Area

Fred Shaw has been working to develop some options for repairing the gate for the garbage area. These include a replacement of the original style with some modification to prevent unwanted access, a new metal fabricated gate enclosure with locking facility, access to the garbage area for the owners from inside the fence and an improved organization within the enclosed area. All suggestions will be considered by council.

B) Front Entrance & Decks

The Strata Corporation has made an effort to replace tiles as they are damaged but is now finding it more difficult to match replacement tiles. A quantity of tiles was purchased in order to continue the process but a more permanent long term solution may have to be considered in the future which would involve the entire area including the planters. Some suggestions have been considered but no decision has been made to push this project forward at this time. Council will continue with the present practice and intends to make repairs to damaged tiles in the spring when the weather conditions permit. If and when this more permanent project is undertaken it was generally agreed that it would be taken to the Owners at that time and that it would likely involve a levy to cover the cost. In addition to the repairs it was agreed that the use of some mats would be a good idea to aid with the footing on the tiles when they are wet.

C) Keys & Security

Council reports that they have a good handle on all the keys that are distributed and that this should not represent a security issue at this time.

D) Rental of Units

Owners are reminded that allowable rentals are at maximum and no further rentals are allowed without council approval. This includes short term rentals.

8. **ELECTION OF COUNCIL**

The past Council for Birch Gardens then resigned and was genuinely thanked for their work on behalf of all the owners.

The Property Manager then noted that at this time all current Council Members must resign and it was the obligation of the ownership present to elect a new Strata Council, which must consist of a minimum of three (3) maximum of seven (7) members.

Individuals were then asked to stand for election for council for 2010.

At the end of this process, the following owners were then nominated to the Strata Council as follows:

Debbie Nielsen	Unit #205
Julio Guzman	Unit #101
Fred Shaw	Unit #302
Lisan Kwindt	Unit #303
Scott Murdoch	Unit #301
Francisco Luna	Unit #304
Suzanne Geba	Unit #106

There being no further nominations, it was then moved and seconded to close nominations.

There being no discussion and no further review required, question was called and the Chair then declared the MOTION CARRIED with the result being 9 IN FAVOR, 0 OPPOSED, 0 ABSTAINED.

The Property Manager then advised that the above noted Strata Council nominations were declared ELECTED to the Strata Council.

An appropriate congratulation was then offered for the newly elected Strata Council Members.

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9. **ADJOURNMENT**

There being no further business it was then moved and seconded to adjourn the meeting at 7:40 pm.

The Chair then declared the MOTION CARRIED and the meeting officially terminated.

A brief meeting was then held with the newly elected Strata Council Members to elect Council Officers and receive some additional documentation from the Property Manager.

The roles, responsibilities and duties along with the available Strata Council Officer positions were then explained in detail by the Property Manager along with the nomination procedure.

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

Julio Guzman	President
Debbie Nielsen	Vice-President
Lisan Kwindt	Secretary
Scott Murdoch	Treasurer

Respectfully submitted,

Rick Woolley
Property Manager
Property Management Division

Enclosures

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Monday, November 30, 2009 AT 8:00 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President (<i>chair</i>)
	Debbie Nielsen	Vice-President
	Scott Murdoch	Treasurer
	Lisan Kwindt	Secretary (<i>minutes</i>)
	Veena Mallal	
	Fred Shaw	

REGRETS: (none)

1. CALL TO ORDER

The meeting was called to order by the President, Julio, at 8:05 pm.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received detailed financial statements for October 2009 and forwarded to council members via email. An update on the contingency fund was provided. It was noted that we are required to cover the budget shortfall from last year at the end of this year, which looks like it will happen.

Scott reported that he has forwarded a request for statement correction to Keith at Croft, re: one correction.

Scott reported that our term deposit was renewed at 0.5%.

Motion was made to accept the financial statements for October. Motion carried.

B) Arrears

To the best of Council's knowledge, at this time one unit continues to be in arrears.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON October 26, 2009.**

It was noted that, by agreement, the previous regular meeting minutes had been drafted and finalized by Secretary (Lisan) and Vice-President (Debbie) electronically for printing and distribution. Minutes were approved by quorum in attendance at current meeting. These minutes were previously distributed in hard copy to all units and by email to non-resident owners.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **ERRORS AND OMISSIONS**

None.

8. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair and NAMPI

These two items appear as FYIs in the Notice of AGM, which has been distributed to all unit owners. Owners are encouraged to give input, whether before or during the AGM.

B) Fire Inspection

Debbie reported that Executive completed inspections of the remaining suites.

C) Landscaping Maintenance (trees and shrubs)

It was confirmed that the tree pruning invoice has been paid. Per previous action item, Julio reported having sent specs with request to Property Manager to draft a note for garden owners. This is still pending from Property Manager.

**** ACTION: Property Manager** to draft letter to owner of garden regarding responsibilities to maintain same, per Julio's previous instructions.

D) Rental of units

**** ACTION: Property Manager** to send letter to unit ASAP, quoting by-laws that will be violated should they rent. **Julio** to follow up.

E) Approval of Pets on the Premises

One completed pet approval form was received and is on file with Council.

F) AGM 2009

AGM date has been set for December 7, 2009. Notice has been distributed to all owners.

G) Outdoor light fixture repairs

Upon discussion, Council judged this to be a pending issue that can be dealt with as needed, perhaps in Spring. Currently does not appear urgent.

H) Periodic maintenance tasks due

Dryer vent cleaning: Debbie reported on communication with previous trade. Quote looks reasonable. Debbie to schedule for January 2010 (preferably first available Saturday, as owners will need to facilitate access to their respective units).

Fireplace maintenance: Debbie summarised current situation. This will be scheduled for around April 2010 (will be cheaper in Spring, according to trade).

9. **CORRESPONDENCE**

Council received no new correspondence.

Reminders to Residents

** All owners are reminded to NOT contact Strata Council members, but to direct all strata-related questions and concerns to our Property Manager Rick Woolley.

** All owners are reminded to forward any Strata-related concerns, or items for Strata Council's attention, directly to the Property Manager per the information in your welcome packages. **If you have not received a welcome package** please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: 604-535-8080

By fax: 604-535-1767

By mail: Croft Agencies Ltd.

203-1736 152 St

Surrey BC V4A 4N4

10. **NEW BUSINESS**

A) Shutting off Outdoor Faucets

With the colder weather and danger from water freezing in or near outdoor faucets, Council discussed prevention. Shut-off valves are thought to be inside, possibly within some suites. Fred and Julio to confirm where shut-off valves are located and close them. Where they may be located within a suite, owners will be reminded to shut them off for the winter.

B) Building Security

Council discussed security incidents observed during the past year(s), and considered whether the cost of changing common area locks (re-keying) was worth the added security. Motion was made to change the common area locks. Motion defeated by a majority.

11. ADJOURNMENT

There being no further business it was then moved and seconded to adjourn the meeting at 8:47 P.M.

Next meeting: Annual General Meeting, December 7, 2009 at 6:30 PM in the common room. All unit owners are requested to attend either in person or by proxy.

LMS-572 BIRCH GARDENS

November 17, 2009

TO ALL OWNERS
STRATA PLAN LMS-572 BIRCH GARDENS
1318 WEST 6TH AVENUE
VANCOUVER BC V6H 1A7

Dear Owner(s):

RE: ANNUAL GENERAL MEETING

Please find enclosed the Notice of Meeting together with an Agenda, a Proxy Form and other information which you should bring with you to the meeting for reference.

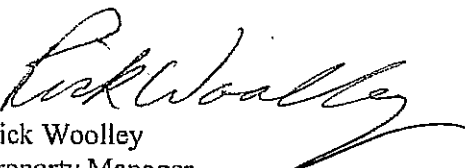
We wish to take this opportunity to remind you that your strata bylaws may state that **no owner is entitled to vote at a General Meeting unless all strata fees have been paid in full**. You would then need to ensure that your account is up-to-date, as no payment can be made at the actual time of the meeting, unless in the form of a cheque.

If you are unable to attend this meeting, please complete the attached Proxy Form and forward it to a representative of your choice who will be attending the meeting, thereby enabling your representative to vote on your behalf. We encourage all owners to be represented at this meeting.

If you require further information or assistance regarding the foregoing or attached, please do not hesitate to contact me.

Yours truly,

Croft Agencies Ltd.



Rick Woolley
Property Manager
Strata Properties Division

TO ALL OWNERS
STRATA PLAN LMS-572
BIRCH GARDENS

NOTICE OF THE ANNUAL GENERAL MEETING

DATE: Monday, December 7, 2009

TIME: 6:30 pm - Registration commences at 6:00 pm

PLACE: Within the Common Room
At 1318 West 6th Avenue
Vancouver, BC

AGENDA:

1. The Chairperson calls the meeting to order at 6:30 pm.
2. Calling of the roll and certification of proxies.
3. Proof of Notice of Meeting or waiver of notice and acknowledgement of receipt of financial statements (attached).
4. Approval of the Minutes of the Annual General Meeting held on Wednesday, November 26, 2008 (as previously circulated).
5. Acknowledgement of receipt of report on insurance coverage (attached).
6. Approval of the proposed Operating Budget (attached).
7. General Discussion.
 - a) Repair or Replacement: Courtyard and Limited Common Property tiles
 - b) Garbage enclosure
 - c) Other business
8. Election of Council.
9. Adjournment.

2:45 PM

11/13/09

Accrual Basis

LMS-572 Birch Gardens

Balance Sheet

As of October 31, 2009

	<u>Oct 31, 09</u>
ASSETS	
Current Assets	
Chequing/Savings	
1000 · Bank Account - Operating	8,821.92
1010 · Bank Account - Trust	17,351.20
1030 · Investment Certificate #1	12,545.56
1040 · Investment Certificate #2	11,113.64
1050 · Investment Certificate #3	11,030.56
Total Chequing/Savings	<u>60,862.88</u>
Accounts Receivable	
1200 · Accounts Receivable	4,155.73
Total Accounts Receivable	<u>4,155.73</u>
Other Current Assets	
1300 · Prepaid Insurance	7,389.66
Total Other Current Assets	<u>7,389.66</u>
Total Current Assets	<u>72,408.27</u>
Other Assets	
1450 · Due to Trust from Operating	8,679.23
Total Other Assets	<u>8,679.23</u>
TOTAL ASSETS	<u><u>81,087.50</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	818.15
Total Accounts Payable	<u>818.15</u>
Other Current Liabilities	
2550 · Due from Operating to Trust	8,679.23
Total Other Current Liabilities	<u>8,679.23</u>
Total Current Liabilities	<u>9,497.38</u>
Total Liabilities	<u>9,497.38</u>
Equity	
3000 · Opening Bal Equity	6,610.96
3500 · Contingency Reserve Fund Equity	60,720.19
Net Income	4,258.97
Total Equity	<u>71,590.12</u>
TOTAL LIABILITIES & EQUITY	<u><u>81,087.50</u></u>



**NAKAMUN INSURANCE
SERVICES LIMITED**

387 Hornby Street
Vancouver, BC V6Z 1W7
Phone (604) 688-5158 - Fax (604) 688-1709
toll Free 1-800-667-5532
www.nakamun.com

COVER NOTE

Reference Number: MUR11550

Insured: Owners of Strata Plan LMS572 dba BIRCH GARDEN
c/o Croft Agencies Ltd.
203 - 1736 152nd Street
Surrey, BC V4A 4N4

Policy Number: TBA

Insurers: Gore Mutual Insurance Company 100% Property & Liability
BI & I
AXA Assurance

Additional Insured: Croft Agencies Ltd.

Policy Term: 12:01 October 1, 2009 to 12:01 October 1, 2010

Interest Insured: Property
Equipment Breakdown - Boiler & Machinery
Crime
Commercial General Liability
Directors & Officers
Volunteer Accident

Location: 1318 West 6th Avenue, Vancouver, BC V6H 1A7

Property: Condominium Corporation Form
\$ 4,764,000 Building, Stated Amount Co-Insurance, Replacement Cost
Included Earthquake
Included Flood

Condominium Building Extension Plus Endorsement
\$ 25,000 Accounts Receivable and Valuable Papers
\$ 10,000 Automatic Fire Suppression System Recharge Expense
Included Blanket By-Laws Coverage
\$ 10,000 Brands and Labels
\$ 10,000 Building Damage by Theft
Included Co-Insurance Waiver
Included Common Expense
\$ 10,000 Consequential Loss Assumption
\$ 10,000 Exhibition Floater
\$ Included Exterior & Interior Glass
\$ 25,000 Extra Expense
\$ 5,000 Fine Arts
\$ 5,000 Fire Department Charges
\$ 5,000 Growing Flowers, Plants Shrubs, or Trees in open
Included Inflation Protection
\$ 10,000 Installation Floater

THIS POLICY CONTAINS A CLAUSE(S) WHICH MAY LIMIT THE AMOUNT PAYABLE

A MEMBER OF THE NAKAMUN FINANCIAL GROUP



AUTOMATED INSURANCE SERVICES LIMITED

387 Hornby Street
Vancouver, BC V6Z 1W7
Phone (604) 688-5158 Fax (604) 688-1709
Toll Free 1-800-667-5532
www.nakamun.com

\$ 12,000	Leasehold Interests - Rents
\$ 10,000	Master Key
\$ 1,000,000	Newly Acquired: Location - Building
\$ 500,000	Newly Acquired: Equipment and Stock
\$ 5,000	Off Premises Power Interruption
\$ 10,000	Property Temporarily Away
\$ 10,000	Other Transit
\$ 10,000	Parcel Post
\$ 10,000	Personal Property of Employees
\$ 10,000	Professional Fees
\$ 25,000	Property of Others
\$ 10,000	Sales Representative
Included	Sewer Back-Up/Water Damage
\$ 2,500	Sign Floater
\$ 50,000	Trustee Fees
\$ 25,000	Valuable Papers & Records

Machinery Breakdown	\$ 4,764,000	Comprehensive Coverage (Repair or Replacement) (Excluding Air Conditioning & Refrigerating Equipment)
	\$ 25,000	Extra Expense
	Included	Business Interruption Actual Loss Sustained Waiting Period: 24 Hours Off premises power included

Commercial General Liability:	\$10,000,000	Commercial General Liability (Per Occurrence/Aggregate)
	\$10,000,000	Bodily Injury (Per Occurrence/Aggregate)
	\$10,000,000	Property Damage (Per Occurrence/Aggregate)
	\$10,000,000	Personal Injury Liability (Per Occurrence/Aggregate)
	\$10,000,000	Non-Owned Auto Liability (Form SEF 96 & SEF 99) (Per Occurrence/Aggregate)
	\$ 2,500	Medical Payments - Each Person (Aggregate)
	\$ 25,000	Medical Payments - (Per Occurrence/Aggregate)
	Included	Building Owners Interest Only Endorsement

Crime:	\$ 10,000	Comprehensive Dishonesty, Disappearance and Destruction Employee Dishonesty Form A
	\$ 10,000	Money & securities Broad Form Inside/Outside
	\$ 10,000	Money Orders and counterfeit paper currency

Directors & Officers:	\$ 3,000,000	Non Profit Condominium Corporation. Coverage is on a Claims Made Basis
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Volunteer Accident:	\$ 100,000	Limit
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THIS POLICY CONTAINS A CLAUSE(S) WHICH MAY LIMIT THE AMOUNT PAYABLE

A MEMBER OF THE NAKAMUN FINANCIAL GROUP

VANCOUVER

CALGARY

EDMONTON

WINNIPEG



**MURRICK INSURANCE
SERVICES LIMITED**

87 Hornby Street
Vancouver, BC V6Z 1W7
Phone (604) 688-5158 Fax (604) 688-1709
Toll Free 1-800-667-5532
www.nakamun.com

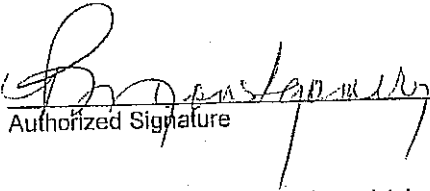
Deductibles:	\$ 1,000	Per Occurrence or Claim unless listed below
	\$ 10,000	Flood
	\$ Nil	Volunteer Accident
	\$ 2,500	Sewer Backup/Water Damage
	\$ 10%	Earthquake

Exclusions: Data, Terrorism, Asbestos, Illegal Substance, Fungi and Fungal Derivatives (Mould), Cultivation of illegal Substances

Premium: \$9,053 (Minimum & Retained \$750)

The policies are being prepared and will be forwarded to you upon receipt. This cover note is automatically terminated by the delivery of the insurance policies covering the above noted risk.

Date Issued: October 5, 2009
Issued at: Vancouver, BC


Authorized Signature

Murrick Insurance Services Ltd.

THIS POLICY CONTAINS A CLAUSE(S) WHICH MAY LIMIT THE AMOUNT PAYABLE
A MEMBER OF THE NAKAMUN FINANCIAL GROUP

VANCOUVER

CALGARY

EDMONTON

WINNIPEG



International Risk and Insurance Services

INSURANCE RENEWAL TERMS

BFL CANADA Insurance Services Inc.
1177 West Hastings Street, Suite 200
Vancouver, British Columbia V6E 2K3
Tel.: (604) 669-9600
Fax: (604) 683-9316
Toll Free: 1-866-669-9602

RESIDENTIAL STRATA AND APARTMENT PROGRAM

Name Insured:	The Owners, Strata Plan LMS572, acting on their own behalf or as a Strata Corporation &/or as Trustees or Agents on behalf of all Registered Unit Owners.	Attention:	Rick Woolley
Property Manager:	Croft Agencies Ltd.	Policy Period:	October 01, 2009 to October 01, 2010
Project Name:	BIRCH GARDENS		
Insured Location(s):	1318 West 6th Avenue, Vancouver, BC V6H 1A7		

COVERAGES

Insuring Agreement	Sum Insured / Limits
SECTION I - PROPERTY (Appraisal: July 31, 2009) All Property Lock & Key	\$4,764,000 \$10,000
SECTION II - CRIME Comprehensive Dishonesty, Disappearance and Destruction Broad Form Money and Securities	\$10,000 \$5,000
SECTION III - COMMERCIAL GENERAL LIABILITY Bodily Injury & Property Damage General Aggregate Limit Non-Owned Automobile Limited Pollution Liability	\$10,000,000 \$10,000,000 \$10,000,000 \$1,000,000
SECTION IV - CONDOMINIUM DIRECTORS & OFFICERS LIABILITY Claims Made Form (Including Property Manager)	\$3,000,000
SECTION V - EXTERIOR GLASS Residential	Blanket
SECTION VI - EQUIPMENT BREAKDOWN Direct Damage Including Repair or Replacement, By Laws coverage, Off Premises Power Business Interruption/Extra Expense	\$4,764,000 \$100,000
SECTION VII - POLLUTION LIABILITY Limit of Liability - Each Loss, Remediation Expense or Legal Defense Expense Aggregate	\$1,000,000 \$2,000,000
SECTION VIII - VOLUNTEER ACCIDENT Principal Sum	\$100,000

CONDITIONS

SECTION I	All Risks subject to named exclusions, Stated Amount Co-Insurance, Guaranteed Replacement Cost, Blanket By-Laws Increased Amount, Data Exclusion, Terrorism Exclusion, Mould Exclusion
SECTION III	All premises, broad definition of Named Insured, libel and slander, Property Manager is an Additional Insured while acting on behalf of the Named Insured.
SECTION IV	Property Manager is an Additional Insured while acting on behalf of the Named Insured.

DEDUCTIBLES

SECTION I	All Risks \$1,000; Sewer Backup \$5,000; Water Damage \$5,000; Earthquake 10%; Flood \$10,000; Lock & Key \$250
SECTION II	Comprehensive Dishonesty, Disappearance and Destruction Nil; Broad Form Money and Securities Nil
SECTION III	Bodily Injury & Property Damage \$500; Limited Pollution Liability - Aggregate \$500
SECTION IV	Nil
SECTION V	\$100
SECTION VI	Direct Damage Including Repair or Replacement, By Laws coverage, Off Premises Power \$500; Business Interruption/Extra Expense 24 Hour Waiting Period
SECTION VII	\$25,000
SECTION VIII	See Policy Wordings

TOTAL PREMIUM

\$9,702

**LMS-572 Birch Gardens
Proposed Operating Budget
January 1, 2010 - December 31, 2010**

INCOME

Strata Fees	70,275
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TOTAL FEES	70,275
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TOTAL INCOME	70,275
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EXPENSES

OPERATING EXPENSES

Contingency Reserve Fund	9,000
Electricity	5,200
Elevator	2,700
Garbage	1,875
Gas	10,200
Insurance	9,100
Management Fees	6,000
Miscellaneous	2,000
Repairs and Maintenance	19,000
Water Sewer	4,200
Window Cleaning	1,000

TOTAL OPERATING EXPENSES	70,275
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November 17, 2009

LMS-572 BIRCH GARDENS
Proposed OPERATING BUDGET
FEE SCHEDULE JANUARY 1, 2010 - DECEMBER 31, 2010

<u>Strata Lot Number</u>	<u>Unit Number</u>	<u>Unit Entitlement</u>	<u>Total Annual Payments Due</u>	<u>Monthly Payments Due</u>
1	101	1,194	\$3,703.25	\$308.60
2	102	865	\$2,682.84	\$223.57
3	103	1,268	\$3,932.77	\$327.73
4	104	1,196	\$3,709.46	\$309.12
5	105	1,274	\$3,951.38	\$329.28
6	106	1,013	\$3,141.87	\$261.82
7	201	882	\$2,735.57	\$227.96
8	202	1,030	\$3,194.60	\$266.22
9	203	1,139	\$3,532.67	\$294.39
10	204	1,266	\$3,926.57	\$327.21
11	205	1,240	\$3,845.93	\$320.49
12	206	1,146	\$3,554.38	\$296.20
13	207	1,089	\$3,377.59	\$281.47
14	301	882	\$2,735.57	\$227.96
15	302	1,030	\$3,194.60	\$266.22
16	303	1,139	\$3,532.67	\$294.39
17	304	1,310	\$4,063.04	\$338.59
18	305	1,254	\$3,889.35	\$324.11
19	306	1,268	\$3,932.77	\$327.73
20	307	1,173	\$3,638.12	\$303.18
Total =		22,658	70,275.00	5,856.25

**LMS-572
BIRCH GARDENS
OPERATING BUDGET NOTES
JANUARY 1, 2010 TO DECEMBER 31, 2010**

Income

Strata Fees

The strata fees are derived from the Operating Budget and allocated proportionately to each strata lot in accordance with their unit entitlement. For owners' information, units that have more square footage and a larger share of limited common property, in turn will have more unit entitlement respectively and pay more monthly strata fees pursuant to the Strata Property Act of British Columbia.

Expenses

Bank Charges

Croft Agencies Ltd. has been able to work out a special arrangement with our Bank due to our large volume of business. The Strata Corporation is not charged excessive bank service charges. This account covers the service charges for providing pre-authorized strata fee withdrawals as well as the printing costs of cheques and any and all related minor Trust Account bank charges.

Contingency Reserve

The Strata Property Act requires that the Strata Corporation set aside 10% of the total expenditures in the contingency reserve fund until the amount reaches 25% of the total expenditures, at which time the Strata Corporation may cease or reduce contributions.

Electricity

This is the electrical consumption for the common areas of the project and is based on historical costs.

Elevator Maintenance

The Strata Corporation has an annual contract for full service maintenance of the elevator. This contract covers all parts, labour and any amendments and/or adjustments that are required to the elevator on an annual basis, which will ensure the proper maintenance and the repairs of any unforeseen damage or general maintenance. For safety and health reasons, this contract ensures the stability and general maintenance of the elevator itself.

Garbage

This covers the contract for garbage removal and recycling services. The budget allows for extra pick-ups at Christmas and increases in cost of the contracts.

Gas

This account expenses the costs for the building consumption with reference to common-area gas and the supply of gas for the mechanical equipment and systems within the building as required. The budget is based on historical accumulated costs.

LMS-572
BIRCH GARDENS
OPERATING BUDGET NOTES
JANUARY 1, 2010 TO DECEMBER 31, 2010

Insurance

In accordance with the Strata Property Act, the Strata Corporation is required to maintain full replacement value coverage for the building and may require added additional coverage for liability, Council errors or omissions, etc. The budget is based on historical costs and allows for an estimated increase in premiums.

This category includes the cost of the insurance appraisal to determine the full replacement value of the project, which is conducted annually.

Management Fees

The Management Company relieves the Strata Council of all the day-to-day operations of the Strata Corporation. This includes full accounting services, provision of management staff, supervision of on-site staff, attendance at Strata Council Meetings and General Meetings, preparation of minutes, providing 24 hour emergency support, etc.

The services also include assisting the Strata Council in establishing and enforcing bylaws, rules and regulations and preparing the operating budget on behalf of the owners, collecting arrears and making recommendations regarding operations and administration such as improvements, reserve requirements, liability protection, etc.

Miscellaneous

This account expenses any administration costs as required.

Repair & Maintenance

This account expenses exterior and interior repairs and maintenance that are not separately allocated in this budget. Some of the major expenses are plumbing/mechanical, electrical repairs, painting, fire alarm testing and related repairs, etc.

Water & Sewer

Water and sewer charges or any and all other utilities as charged by the City of Surrey are expended from this account. The figure is based on historical costs and the size of the Strata Corporation.

Window Cleaning

Seasonal window cleaning as required and as needed.

We need all owners' opinion for future projects:

Unit #:

Project: Tiles in the courtyard and/or Limited common property patios

We need owner's feedback regarding what they would like us to do regarding the tiles in the courtyard. Either: patch up when need it or replace the tiles (for: other tiles, aggregate, etc). Some contractors' opinion is there is not too much damage to the membrane. If we decide to replace there is going to be an assessment.

Proposal: If the consensus is to replace all the tiles, we suggest hiring an engineering firm as consultants; approximate cost is \$5000 from the contingency fund.

Owner's opinion:

Project: Garbage bin area

Opinions on: - type of enclosure: (1) metal, (2) as is? Totally enclosed? Yes or no? -
Other options?

If we do not have enough money from the regular operating and we decided to move ahead then it will be money from contingency, needs owners' approval.

Owner's opinion:

PROXY

I/We _____ [name(s)], the owner(s)/ tenant(s)/ mortgagee of

Strata lot _____ of Owners Strata Plan LMS-572

Address _____

hereby appoint _____

and failing him/her _____ President of the Strata Council

to be my/our proxy to vote at their discretion, unless indicated below, for me/us on my/our behalf at the Annual General Meeting of the Owners Strata LMS-572 to be held on Monday, December 7, 2009 at 6:30 pm, or at any adjournment thereof. Should any amendment(s) to a Resolution indicated below be put forth at the meeting noted above, the appointed proxy holder may vote at their discretion.

OWNER'S SIGNATURE

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Monday, September 28, 2009 AT 7:30 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President (<i>chair</i>)
	Debbie Nielsen	Vice-President
	Lisan Kwindt	Secretary (<i>minutes</i>)
	Fred Shaw	
	Veena Mallal	
	Scott Murdoch	Treasurer

REGRETS: (none)

1. CALL TO ORDER

The meeting was called to order by the President at 7:35 pm.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received detailed financial statements for August 2009 and forwarded to council members via email. Strata is about \$2000 under budget for the year so far. Scott has forwarded requests for several statement corrections to Keith at Croft.

The term deposit of \$12,545.56 was renewed on September 14, but no copy of the renewal has been received yet. We have another term deposit in the amount of \$11,273.23 maturing Nov 4, 2009.

The discrepancy in the contingency account was an error, and has been corrected by Croft.

Overhead Door seems to have submitted two invoices for the same job, which Croft has paid as our agent. One member on Council reported that there was a second site visit for no apparent reason. Council is waiting for explanation from Croft.

No motion was made to accept the financial statements.

B) Arrears

To the best of Council's knowledge, at this time one unit continues to be in arrears. Treasurer reported the results of a title search on this unit, and confirmed that Strata's lien is in place. Treasurer further informed Council that Strata's lien will get priority over the mortgage holder (unit is currently for sale).

C) Letter of Authorization of Expenses

It was determined that this was a form letter, and redundant given signed agreements already in place with Property Manager Croft.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON August 19, 2009.**

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by several Council members electronically. Previous minutes were distributed in hard copy to all units.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **ERRORS AND OMISSIONS**

Minutes of August 19, 2009 contained several errors, as noted here.

Header of all pages read: "DRAFT version: 2009-07-05". Distributed version date is unknown.

First page indicated that minutes were taken by Secretary, who was not in attendance. Minute-taker was the President, Julio.

8. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair and NAMPI

The President, Julio, proposed to send a survey to all owners prior to AGM. This will inform the owners of several options under consideration with regard to major projects (courtyard tile repair, NAMPI), and to find out what the owners want, and what Strata Council's priorities should be. The results will be used to plan AGM agenda.

**** ACTION:** Julio to draft owners' survey.

B) Fire Inspection

Chair tabled the invoice from Executive regarding the partially-completed annual inspection, and three options for remedial action. After discussion, Council decided to request Executive return to do the remaining 5 units and replace the low-pressure switch. We can then monitor the compressor and replace that next year, if its poor operation is not resolved by the switch replacement.

Council agreed to retain Executive for the time being.

**** ACTION: Property Manager** to retrieve our building keys from Vancouver Fire & Security, and transfer them to Executive for future service delivery.

C) Storage Violation notices

Abandoned due to Council's inability to agree on wording.

D) Unit Responsibility for Plumbing Damage

Property Manager confirmed that \$200 was charged back to the unit for painting work done (ceiling by entrance to the parkade).

E) Landscaping Maintenance (trees and shrubs)

After discussion, it was decided that: DeHaas would be retained per their quote, to trim the cedar trees of 106, prune the maple tree on the corner of Birch & 6th Ave (where branches are touching the building – quoted informally at an additional \$50), and to remove the tree adjoining unit 105.

It was agreed that Strata will pay this time, then to advise owners that (per By-laws) future maintenance of units' gardens will be their responsibility.

F) Other Cosmetic Property Items

Enterphone panels are at "end of life". Several problems with functioning were fixed recently under contract. Possible panel repainting is still pending.

G) Owner's concern (patio drain)

Strata has paid Hillcrest Plumbing. On discussion of the plumber's report, Council determined that the portion of work done within the unit (water trap) was the responsibility of the unit.

**** ACTION: Property Manager** to recover \$119 from this unit for unit's portion of plumbing work (Hillcrest's invoice) already paid from Strata funds.

H) Rental of units

Council determined that 2 units are now being rented out, thus the maximum allowed has been reached.

9. **CORRESPONDENCE**

Since the previous meeting, Council received correspondence from one owner via email. Council has responded via email and attempted personal approach to reach resolution of outstanding items, but no further communication was forthcoming from the owner. Council assumes issues were addressed to the satisfaction of the owner.

Reminders to Residents

**** All owners are reminded to NOT contact Strata Council members, but to direct all strata-related questions and concerns to our Property Manager Rick Woolley.**

**** All owners are reminded to forward any Strata-related concerns, or items for Strata Council's attention, directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: 604-535-8080

By fax: 604-535-1767

By mail: Croft Agencies Ltd.
203-1736 152 St
Surrey BC V4A 4N4

10. **NEW BUSINESS**

A) Approval of Pets on the Premises

Council discussed complaints about several pets kept in violation of By-Law 4:

- A cat belonging to one unit has been observed roaming both indoor and outdoor common areas. Strata Council has not issued approval for this pet, as no request was submitted by the owner. It was noted that, regardless of approval to keep a pet, pets may not roam freely outside the owner's unit.
- Complaints have been received regarding a barking dog belonging to one unit. Council will direct Property Manager when formal written complaints have been filed.

11. **ADJOURNMENT**

There being no further business it was then moved and seconded to adjourn the meeting at 9:00 P.M.

Next meeting: October 26, 2009 at 7:30pm. (It was agreed to hold regular meetings on the last Monday of each month.)

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572 BIRCH GARDENS
HELD ON Wednesday, August 19, 2009 AT 7:30 P.M. WITHIN THE COMMON ROOM AT 1318
WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President (<i>chair</i>)
	Scott Murdoch	Treasurer
	Fred Shaw	
	Veena Mallal	
REGRETS:	Debbie Nielsen	Vice-President
	Lisan Kwindt	Secretary (<i>minutes</i>)

1. CALL TO ORDER

The meeting was called to order by the President at 7:40 pm.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received detailed financial statements for July 2009 and forwarded to council members via email.

- See item B) below.
- Scott reported a discrepancy in the account 5320 (Contingency reserve Fund), should be \$750/month, it shows \$583.33
- ****Action Item:** Scott to do a follow up with Croft's accounting representative.
- Term deposit maturing on September 12 for \$12,545.56, to be reinvested.
- Scott reported a refund of \$172 from our insurance company due to the current appraisal.

Motion: to accept the financial statements received. Motion carried.

B) Arrears

To the best of Council's knowledge, at this time one unit is in arrears. Review of the statements indicates no collection of \$50/month fine related to arrears of this unit. Julio waiting for status update from Property Manager regarding status of legal action; lien is in place. Property Manager reported the status of that account indicating the late charges fees applied.

**** Action Item:**

1. Property Manager to continue monitoring this account and to levy a \$50 late fee for each month a unit's strata fees are in arrears (retroactively if necessary).
2. Property Manager must notify council if further legal action is to be taken, or if further steps are required by Council to expedite same.
3. Property Manager to consider \$150 labour + paint cost to be charge to this unit due to the painting to be done in the ceiling by the entrance to underground parking. Damage caused by a leak from that unit's bathroom.

C) Letter of Authorization of Expenses

Form letter was received from Property Manager's office, with request for signatures of two Strata Council members. Letter basically stipulates that Property Manager may authorize expenses up to a certain dollar amount, but that Property Manager must present to Council for approval before commissioning/paying amounts above that.

**** Action Item: Property Manager:** to confirm that we already have in place this clause as per contract with Croft.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON June 29, 2009.**

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by all Council members electronically. Previously approved minutes were distributed in hard copy to all units.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **ERRORS AND OMISSIONS**

None. Revision of the August minutes to be done at the next meeting.

8. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

In prior meeting, Fred presented summary of quotes from three engineering companies to do an advisory report. On average, should be just under \$5K. During the current meeting it was agreed that we will send a survey to all owners to have their opinion on file before the AGM. The options will be: keep repairing as need it, replace all tiles for either proper outdoor tiles or any other material. The money for the engineers' inspection would be drawn from contingency funds if approved at the AGM.

B) Fire Inspection Service Provider

As per last meeting's decision Debbie arranged for Executive to do the annual inspection which was done on August 7th. All but 5 units still pending, arrangements to be done in the near future. We are waiting for the final report from supplier indicating the units not

done. We may need to replace some batteries for the Emergency Lights; both the testing of the equipment in the units and any other corrective action that needs to be done should be at the same time to save cost.

A council member suggested giving more notice to owners next time we need any service done that involves owners' participation (fireplace service, smoke and heat detectors, window cleaning, etc)

**** Action Item:** Veena to coordinate. This inspection to be done 30 days from notice date.

****ACTION ITEM:** Property Manager to send invoice and report from Executive.

C) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

The one standing quote is approx \$3K, this could be an item as part of the survey to owners. This is another possible item for the AGM.

D) Storage Violation notices

Council held off on these until finalization and distribution of last Birch Notes (which has since been done). It was suggested that from now on we do:

- First: personal approach asking to correct problem or complaint.
- Second: if no reaction from owner to correct problem then we request the property Manager to send letter and keep on file for future reference.

E) Painting of Outdoor common area metal surfaces

Metal fence post supports were painted, but Council noted several were missed. Several Council members expressed dissatisfaction with the neatness of the paint job. Julio mentioned to Tony who will try to fix problem and paint the missing ones next time he is around doing some work.

F) Unit Responsibility for Plumbing Damage

Tony quoted \$150 + taxes for labour only, he will also buy the paint and charge it in his invoice. Area to be painted: ceiling by entrance to the underground parking. This problem was caused by the bathroom leak from unit above.

****ACTION ITEM:** Property Manager: to inform owner by letter of this charge this is his responsibility.

G) Landscaping Maintenance (trees and shrubs)

Strata Council rep to approach owners with a possible compromise to cover partially the expense for pruning or removal of the trees in question. This possible solution will be a one time deal and council will require written agreement from owners.

****ACTION ITEM:** Julio to confirm quote from BC Tree and make the necessary arrangements.

H) Window Cleaning

Work already done. Owner from 101 mentioned that his patios were not washed down, entrance to his unit was dirty and carpet was wet.

I) Other Cosmetic Property Items

* Interphone: we had some difficulties lately; we'll call for service and to replace panel covers. ****ACTION ITEM:** Fred to coordinate

J) Ceiling Repair Unit 201

Done. **** Action item:** Julio send invoice to Croft.

K) Owner's concern (patio drain)

Supplier Hillcrest Plumbing visited and fixed the problem in unit 103. As of date of meeting we did not have a copy of the invoice/report to determine responsibility. **** Action item:** Julio to follow up with Rick.

9. **CORRESPONDENCE**

No new correspondence has come to the attention of Strata Council since last meeting.

Reminders to Residents

**** All owners are reminded to NOT contact Strata Council members, but to direct all strata-related questions and concerns to our Property Manager Rick Woolley.**

**** All owners are reminded to forward any Strata-related concerns, or items for Strata Council's attention, directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: **604-535-8080**

By fax: **604-535-1767**

By mail: **Croft Agencies Ltd.**
203-1736 152 St
Surrey BC V4A 4N4

10. **NEW BUSINESS**

A) Door signage

More signs were done and set up.

**** Action item:** To keep an eye and replace signs as need it.

B) Other

- A request was also made to please print the minutes for distribution double-sided (Veena to do).

- In prior meeting, Julio mentioned an invoice that he had previously paid, but now realizes should have been reimbursed by the Strata. Council advised him to ask Property

Manager about it. This item still pending since owner has not provided copy of the invoice to property manager.

- Owner from 105 mentioned to President that one of her outside windows was cracked and was asking about our insurance coverage for this type of incident. President asked her to send e-mail to Property Manager with all the pertinent information so we can assess the case.

- **** Action item: Property Manager** to confirm unit number of rental units. Also to inform owner of 206 that due to the fact that an immediate family member is occupying his unit then he lost his rental option.

C) **Lines of communication:** in order to streamline and prevent confusing instructions it was agreed to:

1. President (or Vice-President in his absence) to be the point person to communicate with Property Manager.
2. Any requests for letters to owners will be addressed by President or Vice-President.
3. VP to be the initial contact person to Property Manager for any site inspections or supplier's visits. If she is not available she will coordinate with Fred or any other council member.
4. Property Manager to contact VP by phone before given her information to suppliers.
5. Some complaints or problems with owners should be addressed first in person, and if no reaction to correct problem then a letter will be sent to them by the property Manager following above guidelines.
6. **We need to treat our neighbours and be treated with respect.**

11. **ADJOURNMENT**

There being no further business it was then moved and seconded to adjourn the meeting at 9:00 P.M.

Next meeting: Wednesday, September 30th, 2009 at 7:30pm (any changes to be e-mail to all council members)

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Monday, June 29, 2009 AT 7:30 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President (<i>chair</i>)
	Debbie Nielsen	Vice-President
	Lisan Kwindt	Secretary (<i>minutes</i>)
	Fred Shaw	
	Veena Mallal	

REGRETS:	Scott Murdoch	Treasurer
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1. CALL TO ORDER

The meeting was called to order by the President at 7:35 pm.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received detailed financial statements for May 2009 and forwarded to council members via email. Except as itemized in B) below, Scott reported no issues with the statements.

Motion: to accept the financial statements received. Motion carried.

B) Arrears

To the best of Council's knowledge, at this time one unit is in arrears. Review of the statements indicates no collection of \$50/month fine related to arrears of this unit. Julio waiting for status update from Property Manager regarding status of legal action; lien is in place.

**** Action Item: Property Manager** is reminded to levy a \$50 late fee for each month a unit's strata fees are in arrears (retroactively if necessary). **Property Manager** must notify council if further legal action is to be taken, or if further steps are required by Council to expedite same.

C) Letter of Authorization of Expenses

Form letter was received from Property Manager's office, with request for signatures of two Strata Council members. This was not signed (yet), in part because Council believes we already have something similar in our contract with Croft. Letter basically stipulates that Property Manager may authorize expenses up to a certain dollar amount, but that Property Manager must present to Council for approval before commissioning/paying

amounts above that. Julio to check with Scott if he signed it or dealt with it, or can advise what (if any) action Council needs to take.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON May 25, 2009.**

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by all Council members electronically. Previously approved minutes were distributed in hard copy to all units.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **ERRORS AND OMISSIONS**

None.

8. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

Fred presented summary of quotes from three engineering companies to do an advisory report. On average, should be just under \$5K. We would have to have a Special General Meeting (SGM) to present to owners for vote. The money would be drawn from contingency funds if approved. Discussion followed, including other items to be brought to the SGM agenda for consideration of the owners.

****Tentative SGM date: TBD**

B) Fire Inspection Service Provider

VP Debbie reported that a second quote was received, from Executive. After discussion, Council agreed to let them do our next annual inspection. We currently don't have a contract with previous service provider VF&S.

****ACTION ITEM: Property Manager** to advise VF&S that we will not require them to do our next annual inspection, and to arrange with them to return our building keys.

C) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

Fred reported that another prospective contractor backed out of providing a quote as they were too busy. The one standing quote is approx \$3K, so will need to be an item on the SGM agenda. Fred will try to get one more quote, if possible.

D) Storage Violation notices

Council held off on these until finalization and distribution of last Birch Notes (which has since been done). Treasurer, Scott, has received the electronic copy of the revised notice template. Any distributed yet? Scott to please let Council know.

E) Painting of Outdoor common area metal surfaces

Metal fence post supports were painted, but Council noted several were missed. Several Council members expressed dissatisfaction with the neatness of the paint job.

F) Unit Responsibility for Plumbing Damage

Julio will ask Tony for a quote to repair/paint, which amount is to be charged back to the unit responsible.

G) Landscaping Maintenance (trees and shrubs)

It was noted that Jan had pruned the cedar shrubs. Fred and Debbie reported on 4 site visits/quotes received to do the larger tasks. Discussion followed, especially re: possible removal of several cherry trees (we like the trees, but the roots may eventually damage the membrane etc.).

Given the Strata By-law requiring owners to maintain gardens on their unit patios (limited common property), Council considers it the owner's responsibility to trim the large cedars along the West perimeter of the property. Strata Council will provide the options with quotes received.

H) Window Cleaning

Debbie reported on her efforts to obtain quotes. Several companies did not respond to attempts to communicate. One quote was very high, one quote needed more clarification (no re-quote received yet). One more site visit and quote is pending. Debbie said she will ask for a quote for scupper cleaning (townhouse building/unreachable scuppers), etc. as well.

I) Other Cosmetic Property Items

Repainting the Enterphone panel covers: painting of test patch is on hold pending more stable weather. Fred had inquired after replacement covers, but they do not seem to be available.

J) Ceiling Repair Unit 201

It was decided to proceed with re-painting. 201 is requested to advise Council promptly if the problem recurs.

**** Action item:** Julio to book Tony to do the repair/painting.

K) Owner's concern (patio drain)

Re: correspondence previously tabled, one outstanding item. Debbie reported on the progress in getting Property Manager to set up account with Hillcrest and arrange site visit so this work can proceed. It was later determined that the account had not been set up as Hillcrest was waiting for requested information from Croft. Council agreed via email to ask unit owner to engage Hillcrest directly, and submit receipt to Property Manager for reimbursement.

9. **CORRESPONDENCE**

No new correspondence has come to the attention of Strata Council since last meeting.

Reminders to Residents

**** All owners are reminded to NOT contact Strata Council members, but to direct all strata-related questions and concerns to our Property Manager Rick Woolley.**

**** All owners are reminded to forward any Strata-related concerns, or items for Strata Council's attention, directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: **604-535-8080**

By fax: **604-535-1767**

By mail: **Croft Agencies Ltd.**

203-1736 152 St

Surrey BC V4A 4N4

10. NEW BUSINESS

A) Door signage

It was suggested that more "please close door" signs would be useful. Fred had replaced some of the weathered sticky putty used to hold them up.

**** Action item:** Lisan to obtain more signs for the doors.

B) Other

A request was also made to please print the minutes for distribution double-sided (Veena to do).

Julio mentioned an invoice that he had previously paid, but now realizes should have been reimbursed by the Strata. Council advised him to ask Property Manager about it.

11. ADJOURNMENT

There being no further business it was then moved and seconded to adjourn the meeting at 9:00 P.M.

Next meeting: Wednesday, July 29, 2009 at 7:30pm.

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Monday, May 25, 2009 AT 8:00 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE: Debbie Nielsen Vice-President (*chair*)
Scott Murdoch Treasurer
Lisan Kwindt Secretary (*minutes*)
Fred Shaw
Veena Mallal

REGRETS: Julio Guzman President

1. CALL TO ORDER

The meeting was called to order by the Vice-President at 8:15 pm.

2. GUEST BUSINESS

An owner took receipt of certain strata records requested by a prospective buyer. Originals are to be returned to Council promptly. VP will assist access to mechanical room for building inspector.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received detailed financial statements for April 2009 and forwarded to council members via email. Except as itemized in B) and C) below, Scott reported no issues with the statements.

Motion: to accept the financial statements received. Motion carried.

B) Contingency Balance

Scott advised that the contingency was as usual out of balance by a few cents. Scott reminded that the adjustment is usually made in the next month.

C) Other

To the best of Council's knowledge, at this time one unit is in arrears. Review of the statements indicates no collection of \$50/month fine related to arrears of this unit.

**** Action Item: Property Manager** is reminded to levy a \$50 late fee for each month a unit's strata fees are in arrears (retroactively if necessary). **Property Manager** must notify council if further legal action is to be taken, or if further steps are required by Council to expedite same.

Units wishing to make or change strata fee payment arrangements are reminded to contact the Property Manager (detailed contact information in section 9. below), rather than Council members.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON March 23, 2009.**

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by all Council members electronically, save one Council member who abstained. Previously approved minutes were distributed in hard copy to all units. See also 7. below (Errors and Omissions).

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **ERRORS AND OMISSIONS**

Several errors were noticed after distribution of previous minutes, viz:
Meeting date was printed as "February 28, 2009" but should have been "April 28, 2009"
Header reads "DRAFT" but should read "FINAL"
MS Word tracked changes were printed on the distributed version.
Secretary is listed as both "in attendance" and "regrets", but was not in attendance.

8. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

Fred reported on progress contacting engineering companies for quotes to do an advisory report. Investigation continues, but preliminary response suggests that we could expect to pay around \$5K. One rep commented informally at the site, that our complex did *not* show obvious signs that the courtyard membrane had been compromised. Fred will report to council as more information is received from engineering companies that have not yet established correspondence.

B) Fire Inspection Service Provider

After discussion, Council decided to try out Fire Pro without contract commitment. They quoted previously on service contract, but we stayed with VF&S since the latter still had the lowest quote for the base service. Given the disbursements to VF&S for items not included in regular service, Council wondered if another provider would be less expensive overall. It was decided that we try out Fire Pro, without a service contract.

** It was discovered following the meeting that one more company would be quoting. A decision will be made by council via email upon receipt of this quote.

C) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

Fred reported on one detailed quote received, which seemed reasonable to Council. Discussion followed regarding options for implementation, as the quote approached \$3K and would require a Special General Meeting to approve. Fred is still in search of two more quotes.

D) Smoking and Debris on Common Property

Interested party on Council reported that one smoker has been contacted and in addition to using a container to store used cigarette butts will make certain that they butt the cigarette into a container. All other residents are advised that all cigarette butts and ash should be disposed of in the same manner.

E) Storage Violation notices

Scott tabled a draft template for notices to be served to unit owners not in compliance with (parking garage) storage bylaws. Concern was expressed by one Council member that the two members volunteering to identify bylaw violations and to serve the notices will not be entirely unbiased in interpretation of the bylaws and targeting of units/owners to be fined. Debbie and Lisan to review and revise Storage Violation notice as necessary.

F) Painting of Outdoor common area metal surfaces

Metal fence post supports to be painted by Tony (painter of record), who will confirm the work start date.

G) Unit Responsibility for Plumbing Damage

Pending Action Item: Property Manager to charge back repair costs (including repainting) for damage done by one unit's leaking toilet.

At time of current SC meeting: Julio still to obtain quote for repair, and to inform Council and Property Manager when obtained.

H) Landscaping Maintenance (trees and shrubs)

Julio had called 3 landscaping companies. Need to arrange site visits with each of them so they can see what needs to be done and provide quotes.

**** ACTION ITEM: Debbie and Fred** to coordinate site visits with the landscaping company reps, via Julio.

I) Window Cleaning

Debbie reported to Council on her attempts to get quotes for building window cleaning and rinsing. One quote was about double what was paid last year. Scott suggested another window cleaning company to approach. In discussion it was confirmed that we had decided not to include gutter cleaning in the request for quotes. Debbie will continue searching for quotes.

J) Outside Taps

It was confirmed that Rick had sent out a notice to the patio owners with access to tap shut-offs.

K) Outdoor Scuppers/Gutters/Eaves Troughs

Fred volunteered to check and clean out the east apartment building scupper areas with a broom the next time he goes up on the roof.

L) Other Cosmetic Property Items

Reminders to Residents

**** All owners are reminded to NOT contact Strata Council members, but to direct all strata-related questions and concerns to our Property Manager Rick Woolley.**

**** All owners are reminded to forward any Strata-related concerns, or items for Strata Council's attention, directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: **604-535-8080**

By fax: **604-535-1767**

By mail: **Croft Agencies Ltd.**

203-1736 152 St

Surrey BC V4A 4N4

10. NEW BUSINESS

A) Owner Rental Request

Strata Council discussed the merits of a request to permit one room of an owner-occupied suite to be rented. Council declined the request. Vice President will inform Property Manager of Council's decision. Property Manager to communicate to unit owners.

11. ADJOURNMENT

There being no further business it was then moved and seconded to adjourn the meeting at 10:12 P.M.

Next meeting: Tuesday, June 30, 2009 7:30pm

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Tuesday, ~~April~~ 28, 2009 AT 7:30 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President
	Debbie Nielsen	Vice- President
	Scott Murdoch	Treasurer
	Lisan Kwindt	Secretary
	Fred Shaw	

LATE ARRIVAL: Veena Mallal

REGRETS: Lisan Kwindt Secretary

1. CALL TO ORDER

The meeting was called to order by the President at 7:40 p.m.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received financial statements for February and March 2009 and forwarded to council members.

Motion: to accept the financial statements received. Motion carried.

**** modified ACTION ITEM: Property Manager** to continue to send financial statements via electronic (preferably PDF format) and attachment (Invoices), and emailed to **BOTH** the Treasurer and President.

B) Contingency Balance The Treasurer, Scott, advised that the contingency was out of balance by a few cents. Scott said the adjustment is usually made in the next month.

C) Other

The Treasurer reported that the matured term deposit was reinvested in a new term deposit at 0.8% (the best available). Term is one year cashable

To the best of Council's knowledge, at this time one unit is in arrears. Lien process is ongoing.

4. MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON March 23, 2009.

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by all Council members electronically. Previously approved minutes were distributed in hard copy to all units.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

Received lists from Property Manager for Engineering companies and Contractors. Discussion on determining the best course of action was to setup a sub-committee with one board member and two owners. Fred will try to recruit a couple of owners to be part of this committee. Discussion about not having plans for the complex, which will be purchased from the City of Vancouver before an engineering report can be completed.

Scott suggested that the committee might want to add Sprout and Emanuel to the list of Engineering companies.

B) Fire Inspection Follow-up

Julio will follow up re: prices etc. for VF&S replacement. **Action: Property Manager to provide** cost comparison between current and proposed companies, Julio to follow up.

C) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

Council still working to get a quote for garbage enclosure.

D) Smoking and Debris on Common Property

No change in the pattern, owner to be notified if this continues.

E) Reminders for all Units – “Spring Cleaning”

Information on key information on the garbage and recycling area sent out in a notice which will be the consistent format for informing residents; which is called Birch Notes.

F) Improper Storage

Treasurer, Scott, will send out notices to units that have unauthorized items be stored in their parking stalls.

G) Specific Bylaw Violations

Violations are outlined in above area.

- H) Painting of Outdoor common area metal surfaces
Metal fence post support quotation was \$3. per metal support.

Motion: To accept the quotation. Motion Carried.

- I) Other Issues
Graffiti has also been removed from metal work in the alley.

- J) Unit Responsibility for Plumbing Damage
** ACTION ITEM: Property Manager to charge back repair costs (including repainting) for damage done by one unit's leaking toilet. President to inform Property Manager of the relevant details. Julio to send out quotation to other board members, get work done and have billed to unit.

9. **CORRESPONDENCE**

Email correspondence from one resident was tabled, requesting the status of the patio tile repair/replacement, and also requesting pruning of the cedar trees on limited common property. See 7.A) and 10.G). President, Julio, to follow up with a number of companies to determine cost of this work.

Reminders to Residents

** All owners are reminded of the following:

- Please wait for the garage gate(s) to close before driving away when entering or leaving the parkade.
- Do not tailgate others through gates and doors that require an electronic or mechanical key. Do not enable strangers to gain access. Report suspicious activity.
- Storage (i.e. of anything besides your vehicle) in parking areas is not permitted, except with approval of a written request to Council. Permitted items are: bicycles, shopping carts. Unauthorized storage in common areas/parking garage is subject to a \$50 fine per violation.
- Owners and residents found using the visitor parking are subject to a \$50 fine (to the unit) per violation.
- Please clean up messes made in the common areas, as cleaning and maintenance tradesperson is only on site twice per week.
- If you have access to gutters (e.g. at patio edges), please ensure they are clear of debris so that rain runoff can run through.

** All owners are requested to forward any Strata-related concerns or items for Strata Council's attention directly to the Property Manager per the information in your welcome packages. **If you have not received a welcome package** please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.

Your Property Manager **Rick Woolley** can be reached...

By email: rwoolley@croftagencies.com

By telephone: 604-535-8080

By fax: 604-535-1767

**** ACTION ITEM: Property Manager** to contract MacBeth or other trade as necessary, to clear out the inaccessible building rainwater ductwork, including roof scuppers, gutters, etc. Update: Didn't have any additional information on this item, Julio to follow up with Property Manager.

Deleted: a

I) Other Cosmetic Property Items

The following items were discussed but not brought to vote:

Scott suggested replacing the Enterphone panel covers. Fred expressed the opinion that painting them would be fine (e.g. black Tremclad). Action: Test needs to be done when weather warms enough to dry the paint for this test before call panels are painted.

J) Ceiling Repair Unit 201

Discussion on status of this customer issue where a spot has developed on the ceiling in the main living area. ACTION ITEM: Julio to talk with owners about getting this work done and explain the council's concerns regarding the origin of the leak; we'll try to delay as much as possible so we will not incur in unnecessary expenses .

11. **ADJOURNMENT**

There being no further business it was then moved and seconded to adjourn the meeting at 8:52 P.M.

Next meeting: Monday, May 25, 2009 8:00PM (Note new date and time)

Prepared by Fred Shaw

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Monday, March 23, 2009 AT 7:30 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE:	Julio Guzman	President
	Debbie Nielsen	Vice- President
	Veena Mallal	
	Scott Murdoch	Treasurer
	Lisan Kwindt	Secretary (<i>minutes</i>)
	Fred Shaw	

REGRETS: none

1. CALL TO ORDER

The meeting was called to order by the President at 7:36 p.m.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received financial statements for December 2008 and January 2009 about 10 days prior to meeting and forwarded to council members, with comments from Scott.

Motion: to accept the financial statements received. Motion carried.

**** modified ACTION ITEM: Property Manager** is to please send financial statements via electronic (preferably PDF format) attachment, and emailed to **BOTH** the Treasurer and President.

B) Over Budget – recommendation for action

The President, Julio, informed council of the effect of going over budget, per property manager Rick: "If you are over budget the negative balance can be carried forward to next year. This will impact your strata fees if nothing else changes in your budget. The Act allows you to borrow from the CRF to cover short term expensed[sic] but anything borrowed must be paid back within the year. In effect this has the same negative impact on the following budget period."

C) Other

The Treasurer reported that the matured term deposit was reinvested in a new term deposit at 0.8% (the best available).

To the best of Council's knowledge, at this time one unit is in arrears. Lien process is ongoing.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON January 21, 2009.**

It was noted that the previous regular meeting minutes had been circulated, revised, and finalized by all Council members electronically. Previously approved minutes were distributed in hard copy to all units.

It was belatedly noted that one item of discussion during that meeting had not been minuted to the satisfaction of all in attendance. This item is itemized below (7.J)).

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

Since the last meeting, President received a list of companies from the Property Manager (forwarded to council via email). Not clear whether these are contractors or engineering companies. President to confirm this with PROPERTY MANAGER. Options for remediation were again revisited.

Tiled patio areas (limited common property) will be considered during the outdoor tile repair project, to be itemized as part of the engineering report. It was noted that water regularly pools in uneven surfaces of several of the patios.

**** ACTION ITEM:** President to query Property Manager as to whether the suggested companies are engineering firms or contractors; what his recommendation is from among them, based on his experience and knowledge; and how much each is quoting to do the tasks previously outlined (see minutes of January 21, item 7.A). Debbie and/or Fred can arrange to be on site to meet the engineers who are quoting.

B) Fire Inspection Follow-up

Julio will follow up re: prices etc. for VF&S replacement.

C) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

No quotes received yet.

D) Smoking and Debris on Common Property

No change.

E) Reminders for all Units – “Spring Cleaning”

Discussion followed re: best way to engage participation in the Strata from owners and residents. Notices used in the past have had mixed success. Concern was expressed that if there are too many notices, the owners/residents may just “tune them out”. Some issues may require the application of specific consequences (e.g. fines levied per the Bylaws) before any (re)action is seen.

F) Improper Storage

It was noted that unauthorized/improper storage is still a problem. Several parking spaces in the garage are being used to store items that pose a potential hazard, and are not permitted. Council discussed the levying of fines to discourage infractions. See also item 9. below.

G) Specific Bylaw Violations

Re: rented unit in violation of two bylaws: Property Manager had advised unit owner of these violations, as directed by Council. Council was recently notified by the unit owner that current renters are due to vacate soon, to be replaced by others (previous residents). No further action contemplated at this time.

H) Painting of Outdoor common area metal surfaces

(Ref: Minutes of Jan 21, item 10.D), second action item). President still to contact Tony for a quote. Once Council has a quote, will decide if it is worth it.

I) Other Issues

Graffiti has been removed from the glass of the front railing area.

J) Unit Responsibility for Plumbing Damage

**** ACTION ITEM:** Property Manager to charge back repair costs (including repainting) for damage done by one unit's overflowing toilet previously. President to inform Property Manager of the relevant details.

9. **CORRESPONDENCE**

Email correspondence from one resident was tabled, requesting the status of the patio tile repair/replacement, and also requesting pruning of the cedar trees on limited common property. See 7.A) and 10.G).

Reminders to Residents

**** All owners are reminded of the following:**

- Please wait for the garage gate(s) to close before driving away when entering or leaving the parkade.
- Do not tailgate others through gates and doors that require an electronic or mechanical key. Do not enable strangers to gain access. Report suspicious activity.
- Storage (i.e. of anything besides your vehicle) in parking areas is not permitted, except with approval of a written request to Council. Permitted items are: bicycles, shopping carts. Unauthorized storage in common areas/parking garage is subject to a \$50 fine per violation.
- Owners and residents found using the visitor parking are subject to a \$50 fine (to the unit) per violation.
- Please clean up messes made in the common areas, as cleaning and maintenance tradesperson is only on site twice per week.
- If you have access to gutters (e.g. at patio edges), please ensure they are clear of debris so that rain runoff can run through.

**** All owners are requested to forward any Strata-related concerns or items for Strata Council's attention directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: 604-535-8080

By fax: 604-535-1767

By mail: Croft Agencies Ltd.
203-1736 152 St
Surrey BC V4A 4N4

10. NEW BUSINESS

A) Property Management Company Procedures

It was discussed and agreed that the Property Manager should walk through the premises occasionally at least. He should be observing and PROACTIVELY letting Council know of problems, issues, and any items of concern to the Strata. Where there is an opportunity or duty for Council to take action, Property Manager should bring this to Council's attention and suggest a course of action.

B) Overhead Door Co. Billing Error

The Treasurer reported that Overhead Door had erroneously billed Birch Gardens for service to another address. It was agreed that Overhead Door should be redirected to communicate and conduct all transactions through our Property Manager, not Strata (Council) members.

**** ACTION ITEM:** Treasurer to follow up with Property Manager's accounting dept. to reverse the charges (if processed), and Property Manager to communicate with Overhead Door to correct the latter's records. SEE ALSO Minutes of Jan 21, item 10.D). for specific items that Property Manager should clear up with this service provider.

C) Window Cleaning

We are about due to clean the "unreachable" building windows again (May). At the same time, the siding should be rinsed and select areas of building (e.g. planters) should be power-washed. We have to find a new company to do this, as last year's experience was mutually unsatisfactory. Council opinion was that window cleaning by pole was cheaper and gave better results than washing by hand.

**** ACTION ITEM:** Property Manager to recommend window cleaning trade(s).

D) Carpet Cleaning

Common area carpets should also be cleaned in May. It was suggested that Watts should again be retained; last time it cost about \$600. However, several units reported unsatisfactory carpet cleaning recently, so we are open to hiring a different company. COIT was suggested (they have a deal on now).

**** ACTION ITEM:** VP to contact Watts to schedule common area carpet cleaning in May.

E) Blueprints

Fred again mentioned that we will have to get building blueprints from the City. Will need these for the engineer re: courtyard tile project.

F) Outside Taps

Fred reported that the Property Manager had left Fred a message because an outside tap was leaking. Fred further reported that this was due to freezing of water in the pipes, and was easily remedied by shutting off from the inside. Council does not have access to other shutoff valves, as they are inside individual units. Fred had since requested Property Manager to send a note to all units with outside taps to shut them off during the winter, but to the best of Council's knowledge this action has not yet been taken.

**** ACTION ITEM: Property Manager** to send a note to all units with access to indoor shutoff valves for outside taps, advising that taps should be shut off during the winter, to prevent damage in case of freezing weather.

G) Landscaping Maintenance

Several landscaping items were discussed. Cedar trees and shrubs are due for pruning and/or tying back, including those flanking the mailbox entrance area and on the patio of unit 106. Many of the shrubs were bent out of shape by the weight of this past winter's wet snow.

**** ACTION ITEM: Property Manager** to recommend landscaper(s) to clean up the trees and shrubs. Will need to have the equipment and skill to prune tall trees.

H) Outdoor Scuppers/Gutters/Eaves Troughs

These are probably due for cleaning. Owners are responsible for keeping clear those that are accessible (see Reminders in section 9.). Council will have to retain a trade to clean out those that are not accessible. MacBeath did this in the past.

**** ACTION ITEM: Property Manager** to contract MacBeth or other trade as necessary, to clear out the inaccessible building rainwater ductwork, including roof scuppers, gutters, etc.

I) Other Cosmetic Property Items

The following items were discussed but not brought to vote:

Scott suggested replacing the Enterphone panel covers. Fred expressed the opinion that painting them would be fine (e.g. black Tremclad).

Veena suggested painting the wooden lattice work fencing the property. Fred reported that he had mentioned it to Tony previously, but it sounded too expensive (Tony would have chosen to spray-paint the lattice, with drop sheets behind). Fred further volunteered to host a BBQ and painting "party" to paint the lattice work by hand.

11. **ADJOURNMENT**

There being no further business it was then moved and seconded to adjourn the meeting at 8:52 P.M.

Next meeting: April 28, 2009

**MINUTES OF THE MEETING OF THE STRATA COUNCIL, STRATA PLAN LMS-572
BIRCH GARDENS HELD ON Wednesday January 21, 2009 AT 7:30 P.M. WITHIN THE
COMMON ROOM AT 1318 WEST 6th AVENUE, VANCOUVER BC**

COUNCIL IN ATTENDANCE: Julio Guzman President
Debbie Nielsen Vice- President
Veena Mallal
Scott Murdoch Treasurer
Lisan Kwindt Secretary (*minutes*)
Fred Shaw

REGRETS: (Wade Allen) (TBD)

1. CALL TO ORDER

The meeting was called to order by the President at 7:34 p.m.

2. GUEST BUSINESS

There was no guest business.

3. FINANCIAL REPORT

A) Financial Statements

The Treasurer, Scott, had received financial statements for November 2008 in the week prior to meeting and had not had a chance to review. Profit and Loss Budget Performance statement was tabled. Statements for December 2008 have not yet been received. Fred requested a copy of financial statements from Scott as they are received. Scott will attempt to forward them, else will make available at the earliest regular meeting. It was noted that the following action item has been requested personally several times by the President.

**** ACTION ITEM:** Property Manager is to send financial statements in a timely manner, via electronic (preferably PDF format) attachment, and emailed to either the Treasurer or President.

The Treasurer estimated that the Strata will be approximately \$1000 over budget for 2008. This is largely attributable to the persistent cold weather and the price of natural gas.

**** ACTION ITEM:** Property Manager is to advise Council whether the Strata Act or other legislation requires the Council to do anything special when over budget.

The Treasurer reported that we have a term deposit at TD coming due on March 13. It will be rolled over into a new term deposit. Interest rate is expected to be low due to the prevailing economic situation.

To the best of Council's knowledge, at this time one unit is in arrears. Property Manager has been instructed to proceed with lien process.

4. **MINUTES OF THE MEETING OF THE STRATA COUNCIL HELD ON October 1, 2008.**

It was noted that the previous regular meeting minutes (drafted by Don Cook representing Croft as the Property Manager) had been circulated, revised, and finalized by all Council members electronically. Previously approved minutes were distributed in hard copy to all units.

4. **MINUTES OF THE ANNUAL GENERAL MEETING OF STRATA OWNERS HELD ON November 26, 2008.**

It was noted that the AGM minutes (drafted by Don Cook representing Croft as the Property Manager) had been circulated electronically to all Council members for input and revision. After some further discussion, it was moved and seconded to approve the last version of the minutes. Motion was CARRIED unanimously.

5. **REPORT ON UNAPPROVED EXPENDITURES**

To the best of our knowledge there are no unapproved expenditures to report. November 2008's financial statements were just recently received from the Property Manager and are still pending Treasurer's review. Current financial statements have not been received.

6. **REPORT ON LITIGATION**

To the best of our knowledge there is no litigation to report.

7. **BUSINESS ARISING FROM PREVIOUS MINUTES**

A) In Progress: Outdoor Tile Repair

History and options for remediation were revisited for benefit of new Council members. After discussion it was decided the most responsible course of action would be to retain an engineering company to assess and define the situation, and manage a tendering process.

**** ACTION ITEM:** President to request Property Manager recommend to Council three engineering companies familiar with courtyard (re-)construction. The chosen engineering firm will be responsible for assessing the state of the courtyard area requiring repair, defining the scope of work, recommending a solution to the Strata corp., creating an RFP (specifying the amount of existing material to remove as well as the category and type of replacement materials or systems, e.g. tiles, aggregate), vetting the proposals, and supervising the chosen project.

B) Outside Stairwell repair

Re: North outside stairwell area gutter re-alignment and repair to wall and area under stairs. New Council member was brought up to speed on the details and history of this item. Council was reminded that further repairs were not to be pursued until the courtyard tile replacement was sorted out, since Council considers that to be the likely root cause.

C) Fire Inspection Follow-up

Unit 207 reported that her smoke detector is overly sensitive (set off by steam etc.). It was noted that VF&S had tested it and given it the okay. On further discussion, it was recommended to unit 207 to have the detector replaced by VF&S at their next scheduled

visit (cost of the replacement device to be borne by the unit owner, as per units already replaced, but saving the added cost of a separate service call).

It was noted that the Property Manager has supplied names and contact information for three alternate fire prevention companies to replace VF&S. Price differential is not known, so it is difficult to decide which one to go with, or whether they would be more economical in practice.

**** ACTION ITEM:** Treasurer to inquire with a company that switched from VF&S.

D) Garbage/Recycling bin Noise and Mess Prevention Initiative (NAMPI)

Council noted that the temporary measure implemented by two members (removal of one of the sliding doors) has been a great improvement. It was also mentioned that our neighbours across the lane have brought their recycling bins inside their parking garage, and set them out only in advance of pickup. It was observed that a) this has prompted binners to increase their efforts to acquire items from the bins (e.g. reaching inside with wire implements to snag recyclables), b) bringing our bins inside the courtyard would probably inspire binners to climb the fence to gain access, likely resulting in less security and more mess, and c) our recycling pickups are often not on the published schedule, so it would be hard to predict when to put the bins outside. Council noted that the following action item is still pending since three meetings ago, viz:

**** ACTION ITEM:** Property Manager to obtain three quotes to secure the garbage/recycling bin area with metal grating and sliding gate. Quotes should be sufficiently complete and detailed to allow Council to compare on an equal footing.

E) Smoking and Debris on Common Property

Council observed only slight improvement in this situation, despite repeated attempts to convey that cigarette ash and butts are not acceptable on the common property stairs or elsewhere.

F) Reminders for all Units (again)

Various Bylaws and standards of conduct continue to be violated. Options for dealing with this were discussed. Notices have been distributed to each unit/owner in the past, but violations continue. Recently, a large volume of packing material was left beside the garbage and recycling bins. Several common area baseboard heaters have repeatedly been found turned on, despite notices placed on them. VP proposed to create an ongoing series of strata information/reminder sheets to distribute to all units, perhaps monthly. This will highlight some frequently-ignored Bylaw responsibilities, and provide some useful information such as garbage and recycling collection schedules, what can go in recycling bins, etc.

G) Improper Storage

It was noted that unauthorized/improper storage is still a problem. Several parking spaces in the garage are being used to store items that pose a potential hazard, and are not permitted.

9. **CORRESPONDENCE**

Reminder to Residents

**** All owners are requested to forward any Strata-related concerns or items for Strata Council's attention directly to the Property Manager per the information in your welcome packages. If you have not received a welcome package please advise (new Property Managing Broker) Rick directly so that one can be forwarded to you.**

Your Property Manager **Rick Woolley** can be reached...

By email: **rwoolley@croftagencies.com**

By telephone: 604-535-8080

By fax: 604-535-1767

By mail: Croft Agencies Ltd.
203-1736 152 St
Surrey BC V4A 4N4

10. **NEW BUSINESS**

A) Property Management Company Procedures

Council reviewed our policies and procedures with regard to the Property Management company. The President, Julio, is to continue to be the designated point of contact for Council. Council members agree not to issue requests or statements to the Property Manager on behalf of Council, except after consensus and express agreement has been reached among Council (by official vote if needed), and then only when the point of contact has been agreed on (if different from President).

The President reported his observation that response time from Rick Woolley, current Property Manager, has improved. However, contrary to informal assurances from our first Property Manager, he has made no commitment to regularly visit the premises. Our previous practice of leaving bills and other items for his attention in a designated spot on the premises, and receiving any written correspondence or other documents from him in the same location, is no longer viable. Council noted that we were not notified by Rick that this practice had lapsed. Council will in future have to forward hard copy items for his attention via mail, incurring more work and expense for Council. Council also noted that this is the third manager assigned by Croft to our Strata, and expressed concern at the resulting lack of continuity.

**** Action Item:** President to query Property Manager as to schedule of site visits, if any. Council requests at least one visit per month as minimum reasonable frequency.

B) Reminders for all Units (again)

Various Bylaws and standards of conduct continue to be violated. Options for dealing with this were discussed. Notices have been distributed to each unit/owner in the past, but violations continue. Recently, a large volume of packing material was left beside the garbage and recycling bins. Several common area baseboard heaters have repeatedly been found turned on, despite notices placed on them. VP proposed to create an ongoing series of strata information/reminder sheets to distribute to all units, perhaps monthly. This will highlight some frequently-ignored Bylaw responsibilities, and provide some useful information such as garbage and recycling collection schedules, what can go in recycling bins, etc.

C) Specific Bylaw Violations

Fred requested a letter be sent to owner of a rented unit, drawing attention to two Bylaw violations (dog in unit without Council approval, and persistent use of visitor parking by a resident) and directing the unit owner to remedy.

**** ACTION ITEM:** President to direct Property Manager to draft a letter to be sent to the owner regarding the two issues.

D) Other Issues

Overhead Door mailed a notice to Fred, claiming charges for two site visits, including one service call during which they could not gain access to the building. On the second visit, a unit resident had to buzz them in. The following points were raised:

- i. Croft renewed our contract with Overhead Door, so they should not be billing us.
- ii. Overhead Door should not be sending any correspondence except to the Property Management Company.
- iii. Overhead Door has in its possession an electronic door opener/keypad code, so we are not responsible for the lack of communication within their company if their trade reps fail to bring the door opener.
- iv. Overhead Door should not be inconveniencing residents to gain access to the premises.

Graffiti has appeared on the glass by the front ramp railing.

**** ACTION ITEM:** VP to request Jan to clean this off.

VP reported meeting with Dennis the Locksmith, helping him, and learning from him how to trouble-shoot the sticky locks of several common area doors. Thanks, Debbie.

Council extended thanks to those members and owners who volunteered to shovel snow during the recent bad weather, keeping the sidewalks clear for pedestrians, and protecting the Strata from liability (and city fines).

Bin for incoming newspapers and flyers: Council noted that Jan had fixed the hinge earlier when it broke. Fred reported that the arborite facing was coming loose also, and volunteered to repair it. Thanks, Fred.

One of the townhouse units reported a stained bathroom ceiling. The unit owner will contact the owner of the unit above to inquire as to the source, and hopefully resolve.

The source of a stain in one of the ground floor units was determined to have been due to a garburator connection rusting out in the unit above. The latter unit has taken steps to replace the connection pipe.

Fred noted that the metal supports and findings of the lattice work and fence areas were getting rusty and need repainting. Council recalled that Tony did this previously. Last time the exterior doors of the townhouses were painted as well.

**** ACTION ITEM:** President to get a quote from Tony to repaint the exterior fence metal supports, as well as the townhouse doors, including door in unit #101 which was

not done the first time around. However, consensus is that this is lower priority than other projects.

Fred noted that the garden drainpipe cap may need replacement again.

Council noted fresh building damage in the lane after it was hit by a vehicle (again). Treasurer suggested writing to the city to request options. This has been attempted by Council in the past, without satisfactory outcome. We have requested in the past to be allowed to put a concrete post or other barrier next to the building corner to prevent damage, but were informed that there is no easement between the building and the laneway to allow that.

11. ADJOURNMENT

There being no further business it was then moved and seconded to adjourn the meeting at 9:30 P.M.

Next meeting: Tuesday, February 24, 2009 at 7:30 P.M.

The following regular meeting dates were also set in advance for ease of scheduling each Council member's availability:

March 24, 2009

April 28, 2009

May 26, 2009

June 23, 2009