

CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, APRIL 28, 2009

LOCATION:

7:00 pm. – Eaglequest Golf Centre
7778 152nd Street
Surrey, B.C.

STRATA COUNCIL 2008/2009

PRESIDENT

Rod Tondevold - #T235

VICE-PRESIDENT SECRETARY

Bernice Hutton - #149

Member at Large

Nora Jackson - K313

TREASURERS

Gordon Scott - #T318
Joan Brown - #T138

LANDSCAPING

Rick Vael - #T283
Bernice Hutton - #149

SECURITY

Rick Vael - #T283

MAINTENANCE

Garry Kirkland - #K405

APARTMENT/TOWNHOME LIAISON

Garry Kirkland - #K405

CLUBHOUSE OFFICE

Marlene Poole
M – F : 11 am to Noon
Guest suite booking and Keys
RESIDENT MANAGER

Steve Brown
(604) 834-4578

STRATA MANAGER

Gerry Blanchard
E-Mail: gerry@crossroadsmanagement.ca

CROSSROADS MANAGEMENT LTD.

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SURREY, B.C. V3W 1J8
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EMERGENCY CONTACT

24 HOUR SERVICE
(778) 578-4445

Go to local 222 and press "7"
Your call will be directed to

ATTENDANCE:

157 Owners registered in person
72 Owners registered and represented by proxy

(1) CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Rod Tondevold, President.

(2) CALLING THE ROLL/CERTIFICATION OF PROXIES

The roll was called and all proxies certified by Mr. Blanchard with the assistance of Jan LeClerc, W422 in accordance with the requirements of the Strata Property Act. The Act requires that a quorum consisting of one-third of the Owners be present in order for the meeting to proceed. Mr. Blanchard reported that a quorum was present.

(3) PROOF OF NOTICE/WAIVER OF NOTICE

Mr. Blanchard advised that appropriate notice must be given to all Owners either by mail to their last-known address or hand-delivered on-site. In the case of this Annual General Meeting, the notices were hand-delivered to all Resident-Owners between April 6-7, 2009. The notice was mailed to all those owners who were not home or are a non-resident Owner on April 8, 2009, which is 20 days prior to the meeting date. It was MOVED – W422, that adequate notice was given for this evening's meeting. SECONDED – K414. CARRIED

(4) ADOPTION OF AGENDA

It was MOVED – T149 to adopt the agenda as presented, with a noted correction to Section 10, that only 3 not 4 Council positions will be filled tonight. SECONDED – T318. CARRIED

(5) ADOPTION OF PREVIOUS MINUTES

It was MOVED – T149 to adopt the minutes of the AGM of April 29, 2008. SECONDED – K405. CARRIED

It was MOVED – K313 to adopt the minutes of the Special General Meeting of February 3, 2009 as presented. SECONDED – K209. CARRIED

It was MOVED – K414 to adopt the minutes of the Special General Meeting of March 21, 2009 as presented. SECONDED – W422. CARRIED

(6) **PRESIDENT'S REPORT** – See attached

(7) **COUNCIL REPORTS**

NORA JACKSON – Nora was appointed to Council when Larry Johnston stepped down from the council part way through the year. Nora gave thanks to the Council for the opportunity of working with them for her brief term. Nora was Council representative on the Social Committee and kept Council well informed.

GARRY KIRKLAND – Reported the successful completion of the KW Project that came in under budget and ahead of schedule. Within this project, ramps and gates were installed by the apartments and they have been well received. Extensive repairs took place on the gazebo, railings replaced on the stream walkway and 78 spindles were replaced. Repairs were completed on a sewer line under a townhouse and to a broken water line in front of another townhouse. Work on the Clubhouse repairs started in late March (the 4 townhouse buildings will start shortly) and both projects should be completed by the end of September, 2009.

RICK VAEL – Rick reported that due to financial restraints, adding cameras and upgrading the entry systems has been postponed for this year. Security issues have been minimal this year. Rick reported that the practice of using the pub without a liquor licence needed to be changed to conform to provincial laws in order to protect all Owners from possible law suits in the event that the insurance company would not cover any resultant claims. The pub can serve and sell liquor if a special licence is obtained. The attempt to recover some of the KW re-construction costs is being reviewed by a legal firm and council we will report any further on the progress of this review.

(8) **REPORT ON STRATA CORPORATION AUDIT**

Janet Helm, CGA completed a full financial review of the 2007-2008 operations year, Contingency account, Mayfair project and a small portion of the KW project. She reports that she found no abnormalities or system flaws.

(9) **REPORT ON INSURANCE**

Gerry Blanchard informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on March 1, 2009 with premiums of \$ 188,732.00 for 12 months. Details of the policy are as follows:

Property value -	\$110,619,300 (Last year 103,778,800)	Deductibles:Water - \$ 5,000
Liability coverage -	10,000,000	Flood - 10,000
Directors and Officers -	5,000,000	Glass - 1000
		Earthquake – 10%
		All Risks - \$ 2,500

Gerry invited Owners to call should you have any question regarding the Corporation's insurance or with any questions regarding your In-suite insurance contents policy.

(10) ELECTION OF STRATA COUNCIL

Rod Tondevold explained to the Owners that the Bylaws require three positions be filled for a two-year term. The new council members will join Joan Brown – T138, Garry Kirkland – K405, Gordon Scott – T318, Rod Tondevold – T235. These members were elected to a two-year term last year.

The Nominating Committee received the following Owners names of Owners to be considered for the Strata Council:

Rick Vael, T283 Bob Hurley, W324, Don Pittendreigh, W123, Frank Greschner, T164

Rick Vael has withdrawn his name to run for Strata Council. Rod called to the floor and asked for any further nominations. It was MOVED – T292 to nominate Gary Beirnes, T313 to run for Council. SECONDED – T326. It was MOVED – T321 to nominate Ray Smith, T103 to run for Council. SECONDED – T132.

It was MOVED – T191 to close nominations. SECONDED – T271.

Owners were request to enter only 3 names on the ballet given to them when they signed in tonight.

The following Owners were elected to Council for a two year period:

Frank Greschner, T164 Don Pittendreigh, W123 Ray Smith, T103 ,

(11) RATIFICATION OF RULES

2.4 COMMITTEES

Committees are ad hoc committees of the Strata Council
Committees shall be appointed by Strata Council from time to time.
All Committees are independent of each other.

2.4.1 Membership

- a) Committees shall submit a list of proposed members by the first regular Strata Council meeting after the AGM.
- b) Additions and deletions to a Committee shall be submitted to the Strata Council.
- c) Approval shall be given as submitted, unless, there is some compelling objection by Council.
- d) The length of term on the committee shall be open.
- e) A member of the Strata Council will be part of each Committee. Committees may appoint member(s) to report to the Strata Council.

2.4.2 Financial

- a) Committees shall prepare financial statements each month and submit it to the Strata Council to be included it in the monthly minutes.
- b) Committees shall prepare an annual financial statement which will reflect the entire fiscal year's activities and will be included in the AGM agenda and minutes.
- c) Committee funds, shall be held by the Strata Corporation Management firm along with all other Strata Corporation accounts and these will be under the committee name
- d) No disbursements of the Committee Fund shall be made without the prior approval of the Committee.
- e) All cheques to be issued on behalf of the Committee shall be prepared by the Management Firm and signed as designated by Council.
- f) Expenditures by Committees shall be approved by the Strata Council other than hose needed to put on a function.
- g) Committees shall maintain a petty cash fund as well as a float for regular activities if required.
- h) Committee's fiscal year shall be concurrent with the Strata Corporation's fiscal year.

2.4.3 Activities

- a) No activity, method of raising funds or cause should bring any financial or legal risk or obligation to Chelsea Gardens.

2.5 Workshop Rules

2.5.1 Entrance into and use of the shop and equipment is limited to authorized persons only.

An authorized person:

is a resident of Chelsea Gardens.

a) Is 19 years and older

b) Has taken the Chelsea gardens Workshop Safety Course (cost of the course to be determined from time to time) and,

c) Has signed the liability exemption form.

2.5.2 Any unauthorized person assisting an authorized person is:

a) not allowed to use any equipment

b) must wear safety goggles

c) must sign a liability waiver and deposit it in the Resident Manager's mail slot.

Persons refusing to sign a waiver enter at their own risk and will be required to leave the workshop immediately.

2.5.3 A logbook is provided for keeping track of those who use the workshop.

Authorized persons must sign the logbook in the spaces provided, each time they use the workshop, noting the date of use and equipment used.

2.5.4 All equipment must be operated in a safe manner with safety shields and/or approved glasses with safety guards in place.

2.5.5 Exhaust fans must be on while using equipment.

2.5.6 All equipment must be left in a clean and safe condition. In the event that equipment is faulty or broken, please:

a) tag out the equipment, and

b) notify the Resident Manager or a member of the Workshop Committee of the faulty or broken equipment.

2.5.7 The shop is for personal or hobby use only. Commercial venture, such as using equipment for making items for sale or profit is **not** permitted.

2.5.8 Notify Resident Manager if any first aid equipment is used so it can be replaced.

2.5.9 Any donation of power equipment must first be cleared through the Strata Council via the Workshop Committee before leaving such equipment in the workshop.

2.5.10 Authorized persons shall remove their personal tools from the shop when leaving. Any personal tools left in the workshop shall be deemed usable by all who are authorized to use the workshop.

2.5.11 Flammable items such as paints, stains and/or solvents are not permitted in the workshop.

2.5.12 **Abuse or disregard for any of these rules may be cause for suspension of workshop privileges.**

2.5.13 Workshop Committee

A Workshop Committee shall be appointed from time to time.

NOTE: The key holder has the ultimate responsibility for assuring the rules are kept. When finished using the workshop, please ensure that all windows are closed, lights are out and the doors are locked on leaving. Thank you.

2.6 Social Committee

2.6.1 **Purpose** The responsibility of the Committee is to facilitate the social needs of the Strata members.

2.6.2 Activities

a) The Social Committee will submit a list of proposed activities at appropriate times, which the Strata Council shall approve providing there is no compelling reason to discuss modifications.

b) At any time during the year, the Social Committee can advise the Strata Council of additional functions or changes. Strata Council's approval is required prior to any event.

2.7 Exercise Room Rules

2.7.1 The exercise room and equipment are for the sole use of Chelsea Gardens residents.

2.7.2 The Exercise room and equipment is to be used at the user's risk.

2.7.3 After use, the equipment shall be left in proper and neat order.

2.7.4 Please report any problems with equipment to the Resident Manager.

2.7.5 Donations of exercise equipment must first be approved by the Strata Council.

- 2.7.6 An Exercise Room Committee shall be appointed from time to time.
- 2.7.7 The **key holder** has the ultimate responsibility for assuring the rules are adhered to. Any violation of these Rules could result in withdrawal of the exercise room privileges.
- 2.7.8 Entrance into and use of the exercise room and equipment is limited to authorized persons only.
- a) An authorized person is:
 - b) A resident of Chelsea Gardens and is 19 year of age or older; and has signed the liability waiver and understands their responsibilities.
- 2.7.9 Abuse or disregard for any of these Rules or equipment may be cause for suspension to the exercise room.

It was MOVED –W422 to adopt Council Rules as presented. SECONDED – T333

It was MOVED – T292 to amend 2.7.7 (noted in AGM Notice as 2.5.7) that the words “key holder” be replaced with “Resident”. SECONDED – T191.

216 in favour, 13 opposed, 0 abstained. CARRIED

The question was called on the Rules, as amended.

229 in favour, 0 opposed, 0 abstained. CARRIED

(12) CONSIDERATION OF 3 / 4 VOTE RESOLUTIONS

12.1 3 / 4 VOTE “A” – TOWNHOUSE REPAIRS - 2008

Therefore be it resolved as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that the unapproved expenditure from the Contingency Reserve Fund be approved as follows: \$4,961 for townhouse repair

It was MOVED – T191 and SECONDED – T153 to adopt 3 / 4 Vote “A” as presented.
229 in favour, 0 opposed, 0 abstained.

CARRIED

12.2 3 / 4 VOTE “B” - TOWNHOUSE REPAIRS - 2009

Therefore be it resolved as a 3 / 4 Vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$70,000.00 to inspect, and where necessary, repair and caulk those townhouse units that require it.

It was MOVED – T333, SECONDED – T149 to adopt 3 / 4 Vote “B” as presented.
228 in favour, 0 opposed, 1 abstained.

CARRIED

12.3 3 / 4 VOTE “C” - SPINDLES - 2009

Therefore be it resolved as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund a sum up to \$30,000.00 to cover the installation of these spindles throughout the complex, **on a priority basis**.

It was MOVED – T237, SECONDED – T187 to adopt 3 / 4 Vote “C” as presented.
226 in favour, 3 opposed, 0 abstained.

CARRIED

12.4 3 / 4 VOTE "D" – GARAGE DOORS AND WINDOW SEALS - TOWNHOMES

Therefore be it resolved as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund a sum up to \$10,000 to do these necessary repairs **on a priority basis**.

It was MOVED – T149, SECONDED – K405 to adopt 3 / 4 vote "D" as presented.
229 in favour, 0 opposed, 0 abstained.

CARRIED

NOTE: ALL RESOLUTION VOTING WAS BY SHOW OF HANDS.

(13) CONSIDERATION OF PROPOSED OPERATING BUDGET 2009-2010

At this time, Gordon Scott went over the financial reports from 2008-2009 and the proposed annual operating budget for the fiscal year March 1, 2009 to February 28, 2010.

It was MOVED – T318 to adopt the 2009-2010 proposed Operating Budget as presented.
SECONDED – K405

After further discussion from the floor, a vote was called on the proposed 2009-2010 budget as presented. 228 in favour, 0 opposed, 1 abstained. CARRIED

The approved operating budget and the fee schedule is the same as distributed with the AGM notice.

(14) PAYMENT OF STRATA FEES

The payment of your monthly Strata fees **will change** and can be made in the following ways:

1. Automatic withdrawal from an Owner's account by completing a Personally Approved Payment (PAP) agreement and forwarding a "Void" cheque for that account.
IF AN OWNER IS ALREADY ON THIS SYSTEM, NO FURTHER ACTION IS REQUIRED.
2. Post-dated cheques, whereby an Owner submits to Crossroads Management twelve (12), post-dated cheques. These should be dated for the first of each month, commencing March 1, 2009 (or June 1, 2009 if you have paid March, April and May, 2009), payable to **Strata Plan LMS 1416 – Unit #_____**. Cheques may be left in the "Property Manager" mailbox in the clubhouse mailroom or the foyer of each apartment building for pick-up.

As the budget was adopted on April 28, 2009, and due to banking deadlines, strata fee adjustments will be made in the first week of May as noted below:

An additional withdrawal for those Owners who are on the automatic withdrawals (PAP) system will be made in the first week of May for the difference between the 2008 strata fees and the 2009 strata fees. This withdrawal will include your March, April and May, 2009 difference only. Your June monthly withdrawal will be for the new strata fees.

If you pay by cheque, please send an additional cheque to cover the March, April, May **difference**. To calculate what you owe for these three month period, please subtract the difference from your old strata fees from the current one. This should be in the range of \$50 to \$100 dollars.

(15) DISCUSSION**15.1 CANADIAN HOME RENOVATION TAX CREDIT**

This national tax credit program allows home owners to receive a tax credit on renovations. Gerry Blanchard will produce a schedule next February, 2010 noting the tax credit each Owner may use on your 2009 tax return. This will include the TC (townhouse/clubhouse) Repair project and other townhouse repair work approved at this AGM. This allowance will be based on unit entitlement from expenditures the corporation completes from January, 2009 to December 31, 2009.

(16) TERMINATION OF MEETING

It was MOVED - # T237 to terminate the meeting at 9:05 p.m.

Gerry Blanchard
Strata Manager