

1
CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, JUNE 22, 2004

LOCATION:

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

**STRATA COUNCIL
2003/2004**

PRESIDENT
Al Rozek - #321

VICE-PRESIDENT/TREASURER
Dave Brennan - #252

ADMINISTRATION/TREASURER
Bob Jones - #M205

SECRETARY/SECURITY
John Lockhart - #257

LANDSCAPING/MAINTENANCE
Harry Kitzmann - #W232

APARTMENT LIAISON/SECURITY
Jan LeClerc - #W422

TOWNHOME LIAISON/SOCIAL
Dave Pritchard - #199

STRATA MANAGER
Gerry Blanchard

Emergency: 594-5643
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DAVIN MANAGEMENT
208, 6846 KING GEORGE HWY.
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EMERGENCY CONTACT
24 - HOUR SERVICE
(604) 594-5643

ATTENDANCE:

166 Owners registered in person
82 Owners registered and represented by proxy

(1) CALL TO ORDER

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

(2) CALLING THE ROLL/CERTIFICATION OF PROXIES

The roll was called and all proxies certified by Mr. Blanchard 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 on June 4, 2004, which is 18 days prior to the meeting date. It was **MOVED – W422**, that adequate notice was given for this evening's meeting. **SECONDED – K209. CARRIED**

(4) ADOPTION OF AGENDA

It was **MOVED – W431** to move agenda item #31 to be dealt with before item #17. **SECONDED – W217**
23 in favour, 225 opposed, 0 abstained. **DEFEATED**

It was therefore, **MOVED – K310** to adopt the agenda as presented. **SECONDED – W324. CARRIED**

(5) ADOPTION OF PREVIOUS MINUTES

It was **MOVED - #209** to adopt the minutes of the Annual General Meeting of April 22, 2003. **SECONDED - #187. CARRIED**

(6) COUNCIL REPORTS

PRESIDENT'S REPORT – As attached.

RV REPORT – It was MOVED – 218 that the RV report, as attached to the AGM notice, be received.
 SECONDED – 274. CARRIED

INVESTMENT COMMITTEE REPORT - It was MOVED – 257 that the Investment Committee report, as attached to the AGM notice, be received. SECONDED – 252. CARRIED

LANDSCAPING & MAINTENANCE REPORT - It was MOVED – W232 that the Landscaping and Maintenance report, as attached to the AGM notice, be received. SECONDED – 239. CARRIED

(7) REPORT ON INSURANCE

Gerry Blanchard informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on September 27, 2003 with premiums of \$ 144,000.00. Details of the policy are as follows:

Property value -	\$ 70,725,700	Deductibles: Water -	\$ 10,000
Liability coverage -	10,000,000	Flood -	10,000
Directors and Officers -	2,000,000	Glass -	100
		Earthquake –	10%
		All Risks -	\$ 5,000

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.

(8) CONSIDERATION OF SPECIAL RESOLUTION "A" – BYLAW AMENDMENT

Special Resolution A reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

It was MOVED - #240 to adopt Special Resolution A as presented. SECONDED – 187.

A vote was requested separately on (A) and (B).

ORDER OF BUSINESS;

(A) #29 (g) deal with unfinished business and if deemed appropriate to approve the financial statement for the past fiscal year. *This has not been possible in proceeding years as our financial data was unavailable at the time of the AGM.*

239 in favour, 9 opposed, 0 abstained.

CARRIED

(B) move item (m) "...elect a council..." Up to a position following (h). *By having the election at this point the votes can be counted while the other items on the agenda are carried out. This will save a great amount of time that would have been spent waiting for the election results.*

239 in favour, 9 opposed, 0 abstained.

CARRIED

(9) CONSIDERATION OF SPECIAL RESOLUTION “B” – BYLAW AMENDMENT

Special Resolution B reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

ADDITION OF BYLAW REGARDING COUNCIL MEMBERSHIP:**Division 3– Council**

9.1.3 In addition to those eligible to run for council under the Strata Property, Part 4, Division 1–The Council, Section 28, spouses of owners are eligible to run for council

It was MOVED - #K409 to adopt Special Resolution B as presented. SECONDED – W120.

It was MOVED - #239 to amend Special Resolution B to include that only one individual per Strata Lot may be on Council at any one time. SECONDED – W324.

229 in favour, 14 opposed, 1 abstained.

CARRIED

The question was called to vote on Special Resolution B as amended.

228 in favour, 19 opposed, 1 abstained.

CARRIED

(10) ELECTION OF STRATA COUNCIL

Mr. Norm Bain, Chair of the Nominating Committee explained to the Owners the Bylaws of the Strata Corporation requires the Owners tonight elect 4 Owners to serve for a two-year on Council. They will join Dave Brennan, John Lockhart, and Harry Kitzmann who were elected last year to a two-year term.

The Nominating Committee received the names of the following Owners who indicated that they wish to be considered for the Strata Council:

Reinhart Brust, Unit K110	Jim Gordon, K307	Harry Steele, Unit 237
Jan LeClerc, Unit W433	Victor Monasch, Unit 153	Bob Hurley, Unit W324
Gary Beirnes, Unit 333	Bernice Hutton, Unit 149	

Mr. Blanchard stated that Mr. Gordon could not be considered this evening for nomination to Council because he is not a registered Owner (he is the spouse of an Owner). Special Resolution B, that permits spouses to run for Council, will not be in effect until it is registered at Land Titles. Mr. Gordon can run for Council next year.

Mr. Bain called to the floor 3 times for any further nominations. No further nominations were received. Each Owner who was nominated was requested to come to the podium and give a small speech as to why they wish to be elected to Council. Following the speeches, the Owners were requested to indicate on their voting ballot, 4 Owners they wish to be elected to Council.

Scrutineers collected the ballots and tabulated the votes. The announcement of the newly elected Council members was intended to be made at the end of the meeting. Due to the sudden adjournment of the meeting 10:30 p.m. due to a security concern within the complex, the names were announced the following day by the Strata Manager.

The following Owners names were recorded and accepted by the Ownership for a two-year term:

Reinhart Brust, Unit K110	Harry Steele, Unit 237
Victor Monasch, Unit 153	Bernice Hutton, Unit 149

(11) RATIFICATION OF RULESRule Changes or Additions:**1. CHANGE OF RULE REGARDING HOURS: under "I" GENERAL: Bullet # 4 change to:**

Owners or Residents shall not make unreasonable noise from 6:00 p.m. to 8:00 a.m. Monday to Friday and from 10:00 p.m. to 10:00 am Saturday and Sunday.

It was MOVED – 199 to adopt Rule #2 as presented. SECONDED – 252.

It was MOVED - #K307 to amend Rule #2 to change the time where no unreasonable noise may be made from 6:00 p.m. to 8:00 a.m. to 11:00 p.m. to 8:00 a.m. SECONDED – K110.

134 in favour, 102 opposed, 0 abstained.

CARRIED

2. I. 1.1 USE OF STRATA LOT: Add this new clause:

1.1.8 A resident must obtain written approval from the Strata Corporation before installing security bars on their windows. These must be on the inside of the windows and be white or off-white in color.

3. I 1.2 APARTMENT –MOVES. add this new clause:

I. 1.2. 4 Any one moving in or out of an apartment must have a person stand by the open doors of the building at all times during the move. This person may be a friend, relative or a paid designated person. The Block watch Captain of each building in question and the resident Caretaker/Manager must be informed as to who is taking this responsibility.

4. II USE OF RECREATION FACILITIES:

2.1.1 Smoking is not permitted anywhere within the recreation building. It is permitted only in the designated areas with an ashtray.

5. PARKING RULES FOR RECREATIONAL VEHICLES**#12 PARKING FEES FOR RESIDENT RV OWNERS**

Item #12 will be cancelled. The parking fee of \$10.00 per month will be cancelled.

This fee was original set up in the 1999-2000 fiscal year. Since that time more than \$16,000.00 has been collected. The original intent was that this money would be used to maintain and enhance the RV Lot. This money was absorbed with the addition of the security fence which has enhanced security for the whole complex. There is no longer a need to collect this fee.

It was MOVED – 199 to adopt Rule #7 as presented. SECONDED – 252.

It was MOVED - #310 to amend Rule #7 to recommend to Council the monthly rental fee be increased from \$10.00 per month to \$20.00 per month.

SECONDED – W422. 123 in favour, 84 opposed, 0 abstained.

CARRIED

6) RULES FOR RENTAL OF FIRESIDE LOUNGE

Item # 1: In the first line immediately following “...available to be rented,” Add the words “on Saturday or Sunday only.”

It was MOVED – 199 to adopt Rules #2, 3, 4, and 6 as presented. SECONDED – 252. CARRIED

(12) CONSIDERATION OF SPECIAL RESOLUTION “C” – BYLAW AMENDMENT

Special Resolution C reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

CHANGE OF BY-LAW REGARDING AWNINGS:

Division 1, 3 (9) *Change to read* “ Retractable awnings may be installed over patios. The awning must not extend beyond the patio area and must not have a facing drop of more than 12 inches. Color must be a neutral beige or the current acceptable color and must be approved by Council. No side covers are permitted. The installation of any awning shall be subject to the provisions of bylaw 6 and the owner of strata lot shall be responsible for the maintenance and repair thereof and the maintenance and repair of the common property resulting from the installation of the awning.”

It was MOVED - #196 to adopt Special Resolution C as presented. SECONDED – 252.
53 in favour, 153 opposed, 0 abstained. DEFEATED

(13) CONSIDERATION OF SPECIAL RESOLUTION “D” – BYLAW AMENDMENT

Special Resolution D reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

CHANGE OF BY-LAW REGARDING PETS:

3.1.4 (C) *change to read* “ retain their pet on a leash while on common property”

It was MOVED - #W422 to adopt Special Resolution D as presented. SECONDED – 131.
240 in favour, 3 opposed, 5 abstained. CARRIED

(14) CONSIDERATION OF SPECIAL RESOLUTION “E” – BYLAW AMENDMENT

Special Resolution E reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

CHANGE OF BYLAW:

Recreation Facilities: 38 (1) *remove the words* “ and exercise room”.

It was MOVED - #239 to adopt Special Resolution E as presented. SECONDED – W324.
246 in favour, 2 opposed, 0 abstained. CARRIED

(15) CONSIDERATION OF SPECIAL RESOLUTION “F” – BYLAW AMENDMENT

Special Resolution F reads:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws be added to, deleted, or rescinded as noted below.

CHANGE OF BYLAW

Division 7, # 31 INSURANCE.

Delete section 31 (3): “For the purpose of this Bylaw, any insurance deductibles paid or payable by the application of the Strata corporation’s policy for damage done and requiring repair that is under the appropriate deductible of the Strata corporation’ policy shall be considered as an expense chargeable to the owner and shall be added to and become part of the assessment of that owner and shall become due and payable on the date of payment of the monthly assessment.”

It was MOVED - #196 to adopt Special Resolution F as presented. SECONDED – 252.
241 in favour, 7 opposed, 0 abstained. CARRIED

(16) CONSIDERATION OF SPECIAL RESOLUTION “G” – BYLAW AMENDMENT

Special Resolution G reads:

TRANSFER OF SURPLUS:

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that operating surplus for the fiscal year 2003-2004 of \$ 83,460.83 be transferred to the Contingency Reserve Fund.

It was MOVED - #252 to adopt Special Resolution G as presented. SECONDED – W422.

It was MOVED – K310 that all financial business of this meeting be suspended until such times as an independent audit can be conducted to determine the exact surpluses or deficits in the budget of 2003-2004 and the true financial standing of Chelsea Gardens Strata Corporation (LMS 1416) reported to the Owners. SECONDED - 239

Gerry Blanchard reported to the Strata Council and the Ownership of a major security incident at the complex was happening at this time and the need for all Owners to go home and check their vehicles.

(17) ADJOURNMENT OF MEETING

The Chair of the meeting, Al Rozek adjourned the meeting at 10:35 p.m. The continuation of this meeting and dealing with the balance of the unfinished business will be announced shortly.

Gerry Blanchard
Strata Manager