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CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

WEDNESDAY, APRIL 25, 2007

LOCATION:

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

**STRATA COUNCIL
2006/2007**

PRESIDENT

Harry Steele - #237

VICE-PRESIDENT

Larry Johnston - #T102

SECRETARY

Bernice Hutton - #149

TREASURER

Victor Monasch - #153

LANDSCAPING

Larry Johnston - #T102
Rick Vael - #T283

SECURITY

Rick Vael - #T283

MAINTENANCE

Gordon Scott - #T318
Garry Kirkland - #K405

APARTMENT

Garry Kirkland - #K405

TOWNHOME LIAISON

Bernice Hutton - #149

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

Emergency: 594-5643

DAVIN MANAGEMENT

208, 6846 KING GEORGE HWY. SURREY, B.C.
V3W 5A1

Phone: 594-5643

Fax: 594-5071

EMERGENCY CONTACT

24 - HOUR SERVICE
(604) 594-5643

ATTENDANCE:

148 Owners registered in person
80 Owners registered and represented by proxy

(1) CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Harry Steele, President. Mr. Steele thanked all the Owners for coming tonight to this meeting. Mr. Steele went on to introduce the Strata Council and Gerry Blanchard, Strata Manager of Davin Management.

(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 on March 30 and 31, 2007 or mailed if they were not home at the time and mailed to all non-Resident Owners on April 2, 2007, which is 23 days prior to the meeting date. It was MOVED – K414, that adequate notice was given for this evening's meeting. SECONDED – T292 CARRIED

(4) ADOPTION OF AGENDA

It was MOVED – T168 to adopt the agenda as presented. SECONDED – W422. 228 in favour, 0 opposed, 0 abstained. CARRIED

(5) ADOPTION OF PREVIOUS MINUTES

It was MOVED – W422 to adopt the minutes of the AGM of April 18, 2006, and the SGM of November 21, 2006 as presented. SECONDED – K111. CARRIED

(6) COUNCIL REPORTS

Reports were given by the President, Harry Steele, Rick Vael on Landscaping and Security, Garry Kirkland on the apartment re-construction projects on the Mayfair and KW.

(7) ELECTION OF STRATA COUNCIL

Mr. Steele, President of the Strata Council explained to the Owners that the Bylaws require that three positions are needed to be filled tonight for a two-year term. They will join Council members who were elected last year to a two-year term: Harry Steele, Unit 237, Victor Monasch, Unit 153, Gordon Scott, T318, and Garry Kirkland, K405.

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

Larry Johnston, T102, Bernice Hutton, T149, and Rick Vael, T283.

Mr. Steele called to the floor for any further nominations, and none being received, declared nominations cease and declared the following Owners were elected to Council for a two year period by acclamation:

Larry Johnston, T102, Bernice Hutton, T149, and Rick Vael, T283.

A warm round of applause was extended to the newly elected Council members.

(8) REPORT ON INSURANCE

Gerry Blanchard informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on March 1, 2007 with premiums of \$ 160,000.00 for 12 months. Details of the policy are as follows:

Property value -	\$ 85,701,100 (Last year 76,313,000)	Deductibles: Water - \$ 5,000
Liability coverage -	10,000,000	Flood - 10,000
Directors and Officers -	2,000,000	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.

(9) RATIFICATION OF RULES

“Pool use by children is permitted between the times of 11:00 a.m. to 12:30 p.m. and 4:30 p.m. to 5:30 p.m.”

It was MOVED – T149 to adopt this Council Rule as presented. SECONDED – T102

101 in favour, 125 opposed, 0 abstained.

DEFEATED

The use of the pool by Children will return to the daily time of 11:00 a.m. to 2:00 p.m.

RESOLUTIONS

The Contingency Reserve Fund will be referred to as the CRF. All approved Resolutions will be integrated in the appropriate place within the bylaws of Chelsea Gardens. A full complete set of bylaws will be forwarded to all Owners upon registration at Land Titles in approximately 3 weeks.

Mr. Harry Steele read each motion and Bernice Hutton, T-149 made each motion and Larry Johnson, T 102 seconded each motion.

(10) CONSIDERATION OF 3 / 4 VOTE RESOLUTIONS

10.1 3 / 4 VOTE “A” – FILL IN FOUNTAINS BY MAYFAIR AND KENSINGTON

3/4 VOTE “A” reads:

WHEREAS we now have a water fountain in front of both the Mayfair and the Kensington Apartment Buildings.

WHEREAS these two fountains are in need of expensive upgrades to both the pumps and the electrical systems.

WHEREAS we are planning redevelopment of these two garden beds as part of the Mayfair and Kensington repairs. We would like to dismantle or fill in these two fountains and have them made into flower beds.

THEREFORE be it resolved a special resolution by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 1416, Chelsea Gardens be authorized to dismantle or fill in these two fountains and proceed with developing the area where they are located.

It was MOVED/SECONDED to adopt 3 / 4 Vote “A” as presented.
106 in favour, 113 opposed, 0 abstained.

DEFEATED

10.2 3 / 4 VOTE “B”

3/4 VOTE “B” reads:

Use of Property: Bylaw 3-(11)

WHEREAS we have rain screened the apartment building(s) and done extensive repairs to the townhomes. Attaching items to the exterior of the complex buildings will run the risk having a water ingress problem

WHEREAS. No attachments including hanging baskets are to be hung in any area which will compromise the exterior envelope.
All planters must be secured and have drip trays if they are on the patio railings.

THEREFORE be it resolved by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 1416, Chelsea Gardens that no attachments are allowed on any of the exterior surfaces which will compromise the building envelope on any apartment building(s) or townhomes. Planters must be secured and have drip trays.

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

CARRIED

10.3 3 / 4 VOTE “C” - WINDOW FILM

3 / 4 VOTE “C” reads:

Use of Property: Bylaw 3-(12)

WHEREAS some owners want to install window film in order to reduce the sunlight entering their residence.

WHEREAS window film may be allowed using 3M material, grey shade in tint number 35 or the FIT material in grey shade Elite 35 tint. This film must be professionally installed. Owners are required to follow the two approved guidelines or the window film will have to be removed.

THEREFORE be it resolved by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 1416, Chelsea Gardens that owners be allowed window film on any or all windows using only the bylaw 3-(12) window. The respective owner(s) are responsible for its maintenance.

It was MOVED/SECONDED to adopt 3 / 4 Vote “C” as presented.

177 in favour, 44 opposed, 0 abstained. (80% of the votes cast)

CARRIED

10.4 3 / 4 VOTE “D” – LEGAL PROCEEDINGS

3/4 VOTE “D” reads:

Payment of Strata Fees: Bylaw 1 – 1.4

Legal Proceedings

WHEREAS the Strata Act has been amended and the following is now in effect:

THEREFORE be it resolved in compliance with section 171(2) of the Strata Property Act, as a Resolution by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 1416, that for the **purposes of the next fiscal year**, the Strata Council is authorized to take action, at the discretion of the Strata Council, against any Owners in arrears of Strata Fees or Special Levies, as the case may be, without need to convene a further meeting of the Owners.

It was MOVED/SECONDED to adopt 3 / 4 vote “D” as presented.

It was MOVED – T149 to amend 3 / 4 Vote “D” that the words “purposes of the next fiscal year” be replaced with “period March 1, 2007 to February 29, 2008”. SECONDED – K402

228 in favour, 0 opposed, 0 abstained.

CARRIED

The question was called on the amended motion.

228 in favour, 0 opposed, 0 abstained.

CARRIED

10.5 3/4 VOTE "E" - WASHING, REPAIRS AND REPAINTING OF TOWNHOUSES

3 / 4 "E" reads:

WHEREAS the balance of the townhouses (eastside of the gardens) need to have the necessary repairs, washing, caulking and painting. This then will enable us to complete the project that started last year.

WHEREAS the ridge caps need to be replaced on the townhouses in phase 2.

THEREFORE be it resolved a resolution by a $\frac{3}{4}$ vote of the Owners, Strata Plan LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$250,000.00 to clean, repair, and paint those townhouse units that were not completed last year; and to replace the ridge caps in phase 2.

It was MOVED/SECONDED to adopt 3 / 4 Vote "E" as presented.

It was MOVED – T153 to amend 3 / 4 Vote "E", that the 3 / 4 Vote "C" approved on April 18, 2006 for \$320,000 to cover Townhouse repairs and painting costs, that over-runs of \$32,512.22 be approved within this Resolution. SECONDED – T149 228 in favour, 0 opposed, 0 abstained. CARRIED

The question was called on the amended 3 / 4 Vote "E".
228 in favour, 0 opposed, 0 abstained.

CARRIED

(11) CONSIDERATION OF PROPOSED OPERATING BUDGET 2007-2008

At this time, Victor Monasch went over the financial reports from 2006-2007 and the proposed annual operating budget for the fiscal year March 1, 2007 to February 29, 2008.

It was MOVED – T153 to adopt the 2007-2008 proposed Operating Budget as presented.
SECONDED – T149

After no further discussion from the floor, a vote was called on the proposed 2007-2008 budget as presented. 228 in favour, 0 opposed, 0 abstained. CARRIED

See attached, the approved operating budget and new fee schedule. Financial Statements are approved at the monthly council meetings.

The Strata Manager reported to the Ownership that the concern noted regarding the "Retained Earnings" will be corrected.

(12) 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 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 supplies Davin with 12, post-dated cheques dated the first of each month, commencing March 1, 2007 (or May 1, 2007 if you have paid March and April, 2007), payable to **Strata Plan LMS 1416 – Unit #_____**. Cheques may be left in the Davin Mailbox in the clubhouse mailroom or the Foyer of each apartment building for pick-up.

As the budget was adopted on April 25, 2007, and due to banking deadlines, strata fee adjustments will be made on June 1, 2007 as noted below:

Townhouses: An additional withdrawal from your bank account for Owners on automatic withdrawals will be made on June 1, 2007 for the difference of the strata fees for March, April and May, 2007. (i.e. Old fee at \$200/month. New fee at \$210/month. June 1 withdrawal will be \$240 and July 1, will be \$210.)

Apartments: Strata fees are being reduced. A refund will be made to you on June 1, 2007 for the extra portion taken in March, April, and May. (i.e. Old fee at \$200/month. New fee at \$190/month. June withdrawal will be \$160 and July 1 will be \$190)

If you pay by cheque, please remit a "difference" amount for March and April to cover this Strata fee increase.

(13) DISCUSSION

13.1 WATER METER

The Strata Manager reported that research regarding the benefits of installing a communal water meter is positive and will be presented to the Ownership later in the year for their understanding and approval.

13.2 SHARED COST ALLOCATION

Gerry Blanchard informed Owners that due to complexity of this subject and the on-going concern on cost sharing between the Corporation's "Sections", a committee is needed to advise Council on how to proceed. Gerry requested 5 Owners from the townhouses and 5 from the apartments form a committee to review and recommend a course of action to the Council by October 31, 2007 so a bylaw amendment can be developed for presentation to the Ownership at the 2008 AGM. The following Owners presented their names to sit on this committee:

Townhouses: T252, T196, T276, T103, and T235; and

Apartments: K307, K405, W431, W432, and M201

(14) TERMINATION OF MEETING

It was MOVED - # K405 to terminate the meeting. The Council will meet on April 27, 2007 for their first Council meeting.

Gerry Blanchard
Strata Manager