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CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, APRIL 18, 2006

LOCATION:

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

**STRATA COUNCIL
2005/2006**

PRESIDENT

Harry Steele - #237

VICE-PRESIDENT

Larry Johnson - #T102

SECRETARY

Bernice Hutton - #149

TREASURER

Victor Monasch - #153

LANDSCAPING

Larry Johnson - #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
Direct Phone: 594-5667

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:

145 Owners registered in person
67 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 very important 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 and 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 placed into all the Owner's mailboxes for Resident-Owners and mailed to all Non-Resident Owners on March 30, 2006, which is 20 days prior to the meeting date. It was MOVED – T185, that adequate notice was given for this evening's meeting. SECONDED – W422 CARRIED

(4) ADOPTION OF AGENDA

It was MOVED – T239 to amend the agenda to reflect a continuous number sequence of agenda items. SECONDED – T168. 212 in favour, 0 opposed, 0 abstained. CARRIED

(5) ADOPTION OF PREVIOUS MINUTES

It was MOVED – T196 to adopt the minutes of the Annual General Meeting of April 19, 2005, SGM of October 4, 2005 and SGM of March 21, 2006 as presented. SECONDED – T320. CARRIED

(6) COUNCIL REPORTS**Reports given at meeting:**

PRESIDENT'S REPORT – As attached.

Council Members and the Strata Manager each gave a short review of activities they were involved in the past year.

(7) ELECTION OF STRATA COUNCIL

Mr. Johnson, Vice-President of the Strata Council took over the Chair position of the meeting as Mr. Steele's position on Council was expiring and he was seeking re-election. Mr. Johnson explained to the Owners that the Bylaws require that four 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: Larry Johnson, T102, Bernice Hutton, T149, and Rick Vael, T283.

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

Harry Steele, Unit 237, Victor Monasch, Unit 153, Gordon Scott, T318, and Garry Kirkland, K405.

Mr. Johnson called to the floor for any further nominations. The following Owners presented their name from the floor to sit on Council: Bob Hurley, W 324

Mr. Johnson, after calling for further nominations three times, and being none, declared nominations cease. 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 made at the end of the meeting however the writer places the elected Council members at this location in the minutes.

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

Garry Kirkland, K405 Gordon Scott, T318 Harry Steele, T237 Victor Monasch T153

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 October 1, 2005 with premiums of \$ 208,625.00 for 17 months. Details of the policy are as follows:

Property value -	\$ 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.

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.

Mr. Harry Steele, turned the floor over to Mr. Gerry Blanchard who read each motion and Rick Vael, T-283 made each motion and Mrs. Bernice Hutton, T 149 seconded each motion.

(9) CONSIDERATION OF 3 / 4 VOTE RESOLUTIONS

9.1 3 / 4 VOTE "A"

3/4 VOTE "A" reads:

Use of Property 3.5

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that the bylaws of the Strata Corporation be added to as follows:

(5) No laundry, clothing, bedding or other articles shall be hung from, stored on, or displayed from windows decks, patios, or other parts of the strata lot such that they are visible from the outside of the building. Outdoor patio furniture is allowed on patios and balconies.

It was MOVED/SECONDED to adopt 3 / 4 Vote "A" as presented.
212 in favour, 10 opposed, 0 abstained.

CARRIED

9.2 3 / 4 VOTE "B"

3/4 VOTE "B" reads:

Use of Property 3.7

Be it Resolved as a Special Resolution of the Owners of Chelsea Gardens, Strata Plan LMS 1416 that Section 3.7 Use of Property be removed and the bylaws of the Strata Corporation be added to as follows:

ADD: Use of Property Section 3.7:

- a) Charcoal BBQ's are not permitted in Chelsea Gardens.
- b) Gas BBQ's are only permitted on balconies or rear patios.

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

It was MOVED – M201 to amend the motion to read that 3.7 (b) be added to, to read:

- b) Gas and electric BBQ's are only permitted on balconies or rear patios.

SECONDED – K313 212 in favour, 0 opposed, 0 abstained.

CARRIED

The question was called on the amended motion.

212 in favour, 0 opposed, 0 abstained.

CARRIED

9.3 3 / 4 VOTE “C” - WASHING, REPAIRS AND REPAINTING OF TOWNHOUSES

3 / 4 VOTE “C” reads:

Be it Resolved as a special resolution of the Owners, Strata Plan LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend from the Contingency Reserve Fund up to \$320,000.00 over a two-year period to clean, repair and repaint all townhouses.

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

CARRIED

An Owner noted and Council agreed to see if the garage door colour could match the new garage door colour to ensure conformity of appearance.

9.4 3 / 4 VOTE “D” - BUILDING ENVELOPE INSPECTION - KENSINGTON AND WINDSOR APARTMENTS FOR WATER INGRESS

3/4 VOTE “D” reads:

Be it Resolved as a special resolution of the Owners, Strata Plan LMS 1416, Chelsea Gardens, that Council is hereby authorized to hire an Inspector, at a cost not to exceed \$7,000.00 for a building envelope investigation of the Kensington and Windsor.

It was MOVED/SECONDED to adopt 3 / 4 vote “D” as presented.
202 in favour, 10 opposed, 0 abstained.

CARRIED

9.5 3/4 VOTE “E” - PURCHASE AND INSTALL AUTOMATIC CHLORINATOR FOR THE SPA

3 / 4 “E” reads:

Be it Resolved as a special resolution of the Owners, Strata Plan LMS 1416, Chelsea Gardens, that Council is hereby authorized to spend up to \$5,000.00 to purchase and install an automatic chlorinator for the spa.

It was MOVED/SECONDED to adopt 3 / 4 Vote “E” as presented.
200 in favour, 12 opposed, 0 abstained.

CARRIED

(10) CONSIDERATION OF PROPOSED OPERATING BUDGET 2006-2007

At this time, Victor Monasch went over the financial reports from 2005-2006 and the proposed annual operating budget for the fiscal year March 1, 2006 to February 28, 2007.

It was MOVED – T153 to adopt the 2006-2007 proposed Operating Budget as presented.
SECONDED – T318.

It was MOVED – T252 to amend the motion to re-allocate operating funds of \$10,000.00 to hire a consultant or arbitrator to determine what expenses are Apartment only expenses and what expenses are Townhouse only expenses and the balance of expenses will be allocated as Common Expenses. The final outcome will be voted upon at the next AGM as a correction to Bylaw 42 which future Council's will have to follow.

SECONDED – T132. 118 in favour, 78 opposed, 0 abstained.

CARRIED

After no further discussion from the floor, a vote was called on the proposed 2006-2007 budget as amended. 204 in favour, 8 opposed, 0 abstained. CARRIED

The Strata Manager reported to the Ownership that the re-allocation will be split proportionally between the Townhouses and Apartments, based on the current expense allocation.

At this time, Victor Monasch reported that the Audit Report, as requested to be completed at the last AGM has been received and the findings report that the financial information reported during the fiscal year 2004-2005 are true and reflect correctly the financial situation of the Corporation. The Auditor did recommend minor improvements in internal controls of the financial reporting functions which will be addressed immediately by Davin Management.

It was MOVED – T153 that an audit be completed for the last fiscal year. SECONDED – T318. Three amendments were made and following one of the votes, it was determined that the AGM has lost quorum.

The Strata Manager informed the Chair of the AGM, that Roberts Rules of Order (all AGM meetings at Chelsea Gardens follow Roberts Rules of Order) determines that if quorum is lost, any following business can not be conducted and the meeting must be terminated.

Any discussion regarding the audit was terminated without Resolution.

Writers Note: The newly adopted budget does allocate funds for the past and future audits. Council has the mandate from the approved budget to further allocate funds for future audits if it deems necessary.

(11) 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, 2006 (or May 1, 2006 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.

(12) DISCUSSION

12.1 WATER METER

The Strata Manager reported that further research regarding the benefits of installing a communal water meter will be perused.

12.2 CONTROL OF PROXIES AT AN AGM OR SGM

Gerry Blanchard informed Owners that due to some Owners distributing blank proxy forms prior to the meeting and this possibly leading to a misalignment of votes, all future proxy forms will show a Davin Management label of the Owner of the proxy so when it is passed to another person, the chance of a fraud proxy would be eliminated. Further discussion will take place on further control of proxies.

(13) TERMINATION OF MEETING

No further business could be conducted as quorum was lost, therefore the meeting was terminated at 9:50 p.m. The first Council meeting of the Strata Council will be held in early May in the Library in the clubhouse. We will announce the date of the Council meeting 7 days prior to the next meeting.

Gerry Blanchard
Strata Manager