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CHELSEA GARDENS – LMS 1416

ANNUAL GENERAL MEETING MINUTES

TUESDAY, APRIL 24, 2012

LOCATION:

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

**STRATA COUNCIL
2011/2012**

PRESIDENT

Harry Steele - TH #237

VICE-PRESIDENT

Lloyd Anderson - #K409

SECRETARY

Joan Brown – TH # 138

TREASURER

Gary Beirnes - TH- #333

LANDSCAPING/RV LOT

Bernice Hutton - TH #149

SECURITY

Lloyd Anderson - #K409

MAINTENANCE

Garry Kirkland –K #405

Bill Callagan – T292

APARTMENT LIAISON

Lloyd Anderson - #K409

TOWNHOME LIAISON

Joan Brown -TH #138

RESIDENT MANAGING CARETAKER

James LeClaire

(604) 834-4578

email address:

chelsea_gardens@shaw.ca

STRATA MANAGERS

Gerry Blanchard

E-Mail: gerry@crpm.ca

Ross Ruddick

E-Mail: ross@crpm.ca

CROSSROADS MANAGEMENT LTD.

New address – Nov1, 2011

1011, 7445 132ND STREET,

SURREY, B.C. V3W 1J8

Phone: (778) 578-4445

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EMERGENCY CONTACT

24 HOUR SERVICE

(778) 578-4445

ATTENDANCE:

128 Owners registered in person

79 Owners registered and represented by proxy

Shawn Smith – Strata Corporation Solicitor

(1) CALL TO ORDER

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

(2) CALLING THE ROLL/CERTIFICATION OF PROXIES

The roll was called and all proxies certified by Mr. Blanchard with the assistance of Verna Sandison, T276, 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 mailed to all Owners on April 3, 2012 which is 21 days prior to the meeting date. It was MOVED – W422, that adequate notice was given for this evening's meeting
SECONDED – T149 CARRIED

(4) ADOPTION OF AGENDA

It was MOVED– T292, to adopt the agenda as presented.
SECONDED – T286 CARRIED

(5) ADOPTION OF PREVIOUS MINUTES

It was MOVED – T263 to adopt the minutes of the AGM of April 19, 2011. SECONDED – T292. CARRIED

The Strata Manager reported that an Owner at last year's AGM noted the Utility Fund to be out of balance. This was corrected the following week and confirmed that it was correctly done in this year's financial audit.

(6) PRESIDENT'S REPORT

Harry Steele, President, gave a report on activities that have taken place over the past year, for the benefit of Owners in attendance at the AGM. See attached.

(7) REPORT ON INSURANCE

Gerry Blanchard informed the Owners of details of the Strata Corporation's insurance policy. The policy was renewed on March 1, 2012, with premiums of \$ 191,727.00 for 12 months. Details of the policy are as follows:

Property value - \$106,515,100 (Last year \$101,942,700)	Deductibles: Water - \$ 10,000
Liability coverage - 10,000,000	Flood - 10,000
Directors and Officers - 5,000,000	Glass - 100
	Earthquake – 10%
	All Risks - \$ 2,500

Gerry invited Owners to call should they have any questions regarding the Corporation's insurance, or with any questions regarding their own in-suite insurance contents policy. He urged Owners to call their insurance companies to make sure that their policies cover any upgrades that they have made to their units, because the Strata insurance does not cover these improvements.

(8) REPORT ON AUDIT

The Strata Manager went over the details of the financial audit for 2010-2011. The auditor stated that they found no concerns with the financial records. Funds have been placed in this year's operating budget for a financial audit for 2011-2012.

(9) ELECTION OF STRATA COUNCIL

Harry Steele explained to the Owners that the Bylaws required four positions to be filled for a two-year term and two positions for a one year period.. The new council members would join Gary Beirnes - T333 who was elected last year to a two-year term.

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

Bernice Hutton – T149	Bob Hurley – W324	Garry Kirkland – K405
Charles Sweet – W227	Doris Dixon – T279	Gordon Yamashita – K202
Rick Vael – T283		

Seven names were received for the six positions therefore Owners were requested to vote for up to 6 Owners on their ballot. The Ownership voted for the followings Owners to fill the 6 vacant positions and join Gary Beirnes to form the Strata Council for 2012-2013:

Bernice Hutton – T149	Bob Hurley – W324	Garry Kirkland – K405
Charles Sweet – W227	Rick Vael – T283	Gordon Yamashita – K202

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

(10) RATIFICATION OF RULES

In the past year, Council passed 3 Rules that needed ratification:

1. RV parking fee is \$15.00/month, effective May 1, 2012.

It was MOVED – T149 to adopt Rule # 1 as presented. SECONDED – T292
157 in favour, 37 opposed, 0 abstained.

CARRIED

2. Townhouse Owners may replace patio doors with French doors at their cost (criteria to be established by the Strata Council) and will be responsible for any repair and maintenance. Future Owners of the Strata lot must accept responsibility of this alteration by having this alteration included in their Agreement for Sale.

It was MOVED – T149 to adopt Rule # 2 as presented. SECONDED – T292
126 in favour, 66 opposed, 0 abstained.

CARRIED

3. Smoking on the limited common property (i.e. patios and balconies) or on common property or within 7.5 meters of a doorway or window is not permitted. As per Bylaw 3 (1) (c), if an Owner is affected with your smoking, you must not allow your smoke to leave your strata lot.

It was MOVED – T149 to adopt Rule # 3 as presented. SECONDED – T292

It was MOVED – T149 to amend Rule # 3 to remove the word “or” in the second line.
SECONDED – T292. 206 in favour, 1 opposed, 0 abstained.

CARRIED

The question was called on the amended Rule 3 that reads as follows:

Smoking on the limited common property (i.e. patios and balconies) or on common property within 7.5 meters of a doorway or window is not permitted. As per Bylaw 3 (1) (c), if an Owner is affected with your smoking, you must not allow your smoke to leave your strata lot.

184 in favour, 0 opposed, 0 abstained.

CARRIED

(11) CONSIDERATION OF 3 / 4 VOTE RESOLUTIONS

11.1 3 / 4 VOTE “A” – TOWNHOUSE ENVELOPE REPAIRS - 2012

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 \$55,000.00 to inspect, and where necessary, repair and caulk those townhouse units as required on a priority basis.

It was MOVED – T149 and SECONDED – T292 to adopt 3 / 4 Vote “A” as presented.
207 in favour, 0 opposed, 0 abstained.

CARRIED

11.2 3 / 4 VOTE “B” – TOWNHOUSE SPINDLE PURCHASE - 2012

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 \$95,000.00 to purchase 850 spindles and repair balcony spindles on a priority basis.

It was MOVED – T149 and SECONDED – T292 to adopt 3 / 4 Vote “B” as presented.
207 in favour, 0 opposed, 0 abstained.

CARRIED

11.3 3 / 4 VOTE “C” – DOORS AND WINDOWS - 2012

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 \$10,000.00 to replace doors and windows as required on a priority basis.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote “C” as presented.
207 in favour, 0 opposed, 0 abstained.

CARRIED

11.4 3 / 4 VOTE “D” – COMMON AREA EQUIPMENT – 2012

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 \$50,000.00 to inspect, and where necessary, replace pumps, tanks, valves and other common area equipment as required.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote “D” as presented.
207 in favour, 0 opposed, 0 abstained.

CARRIED

11.5 3 / 4 VOTE “E” - ENTERPHONE

Therefore be it resolved as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens Council is hereby authorized to spend up to \$10,000 from the Contingency Reserve Fund to install a new enterphone system at the front gate and to protect that enterphone system with the construction of a suitable weather proof enclosure.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote “E” as presented.
193 in favour, 14 opposed, 0 abstained.

CARRIED

11.6 3 / 4 VOTE “F” – DEPRECIATION REPORT

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 \$15,000 to acquire a Depreciation Report.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote “F” as presented.
203 in favour, 4 opposed, 0 abstained.

CARRIED

11.7 3 / 4 VOTE “G” – PARKING BYLAW

Therefore be it resolved as a 3 / 4 vote of the Owners, LMS 1416, Chelsea Gardens that bylaw 38 be rescinded and replaced with a new bylaw 38 as noted below:

Parking and Storage of Vehicles

- 38.(1)** An owner, occupant, or tenant must not use parking stalls for other than the parking of licensed and insured motor vehicles, trailers, motorcycles, electric scooters, and bicycles, unless otherwise approved in writing by Council. The parking of any other type of vehicle or the storage of any other item is not permitted.
- (2) No person shall store combustible materials in a parking stall under any circumstances.
- (3) Any owner, occupant, tenant, or visitor that leaves any item anywhere on or in the common property, or on any limited common property, does so at his/her own risk subject to any claim that may properly be made under any insurance policy maintained by the Strata Corporation.
- (4) An owner, occupant or tenant shall not allow any motor vehicle, recreational vehicle, boat or trailer to be stored in the common parking area without prior consent in writing from Council. The owner shall provide the Management company with proof of “Liability and Physical Damage Insurance” coverage for the total period of storage in the amount of not less than One Million dollars (\$1,000,000.00). Violation of these bylaws will result in a vehicle being towed off the property at the owner’s risk and expense.
- (5) An owner, occupant or tenant shall not park or allow to be parked, any motor vehicle in any apartment parkade or in a townhouse garage anywhere except in the space specifically allocated to his/her own strata lot, except when a private arrangement is made in writing between two owners of strata lots.
- (6) An owner, occupant, tenant or visitor shall not carry out any oil changes, major repairs or adjustments to motor vehicles, boats or other mechanical equipment on common property or any limited common property, except in the case of an emergency.
- (7) An owner, occupant or tenant must promptly and at his/her own expense, clean up any oil or other substance, which spills or leaks onto the common or limited common property.
- (8) An owner, occupant, tenant or visitor shall not park, or allow to be parked, any vehicle in any area designated or marked as a “Fire Lane” unless they are a service vehicle or loading or unloading an RV.
- (9) Vehicles shall not be backed into townhouse visitor parking stalls.
- (10) Vehicles cannot park in any parking stall where the vehicle extends past the apron in a townhouse driveway and past the painted lines in the apartment parkades or townhouse visitor parking locations.
- (11) No vehicle exceeding 4000 Kg. G.V.W. shall be parked or brought onto the Common Property without consent of the Strata Council, except when used in delivery, removal, or providing a service to a strata lot or the Strata Corporation.

(12) An owner, tenant or occupant (herein a "Resident") must not park their vehicles on the common property or in the visitor parking area. Any resident or guest planning to utilize the visitor parking for more than 48 hours shall notify the Resident Manager.

(13) Written notice is not required to tow in the event of a second or subsequent infraction of this bylaw.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote "G" as presented.

It was MOVED – W320, and SECONDED – T320 to amend 38 (11) to add the words at the end "excluding RV's". 207 in favour, 0 opposed, 0 abstained. CARRIED

The question was called on the amended Bylaw 38.

206 in favour, 1 opposed, 0 abstained. CARRIED

11.8 3 / 4 VOTE "H" – INTERIOR PAINTING - WINDSOR

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 paint the interior of the Windsor apartment building.

It was MOVED – T149, and SECONDED – T292 to adopt 3 / 4 Vote "H" as presented.
207 in favour, 0 opposed, 0 abstained.

CARRIED

(12) CONSIDERATION OF PROPOSED OPERATING BUDGET 2012-2013

At this time, Gary Beirnes who went over the budget for 2011-2012 and the proposed annual operating budget for the fiscal year March 1, 2012 to February 28, 2013.

It was MOVED – T333 to adopt the 2011-2012 proposed Operating Budget as presented.
SECONDED – T149

An Owner noted that the surplus in the income section of the 2012-2013 budget does not match the surplus in the actual expense. We have subsequently found that one line on the actual expense of \$113 for apt. and \$245 these did not get added to the total line two lines below. This would make the budget income surplus and the actual expense surplus balance.

It was also noted that the "Actual" figures in the proposed budget does not match the Crossroads financial statements. Gerry Blanchard must apologize as the Statements included in the AGM notice for operations were February 2011 and not the needed ones of February 2012. We have attached the correct February 2012 operations financial statements.

After further discussion from the floor, a vote was called on the proposed 2012-2013 budget as presented. CARRIED

(13) PAYMENT OF STRATA FEES

The payment of your monthly Strata fees **will not 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. As the old fees were already taken for March, April, and May and there is an increase in strata fees, effective March 1, 2012, a second small amount reflecting the fee increase for those first three months will be added to your new June strata fees and taken from your account on June 1, 2012. The new fees will then be deducted on the 1st of each of the following months. **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, 2012, payable to **Strata Plan LMS 1416 – Unit #_____**. If you have paid March and April, please forward only 10 cheques as well as one cheque for the difference in fees for the months of March, April and May. Cheques may be left in the "Property Manager" mailbox in the clubhouse mailroom or the foyer of each apartment building for pick-up.

(14) NEW BUSINESS

14.1 HANDICAP PARKING

An Owner requested more handicapped parking stalls be made available close to the entry ramp for the next time a meeting is held at this location. Arrangements will be made to ensure this happens for the next meeting.

14.2 RV WOODEN FENCE

An Owner asked if the falling down wooden fence will be replaced with a new wooden fence. The Chair commented that this matter is for next year's council to decide.

14.3 EXTERIOR PAINT TOUCH-UP

An Owner comments that various locations in front of their unit need painting. The Owners was asked to complete a work order and this work will be done as best can be done with this year's operating budget.

(15) TERMINATION OF MEETING

It was MOVED - #T196 to terminate the meeting at 9:20 p.m. Council will meet on Friday, April 27, 2012 to elect council positions.

Gerry Blanchard, Strata Manager
Ross Ruddick, Strata Manager