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CHELSEA GARDENS – LMS 1416

SPECIAL GENERAL MEETING

TUESDAY, OCTOBER 4, 2005

LOCATION:

7:00 pm. – Fireside Lounge
13888 70th Avenue
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

CARETAKER
Don Homister
(604) 783-7144

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

ATTENDANCE:

139 Owners registered in person
80 Owners represented by proxy

(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 (total of 219 unit represented) and all proxies certified (80 units represented by proxy) by Mr. Blanchard, Jan LeClerc, and Bernice Hutton 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 Special General Meeting, the notices were hand-delivered to all Residents on site on September 14 and 15, 2005 and mailed to non-Residents on September 16, 2005, which is 19 days prior to the meeting date.

It was MOVED – T283, that adequate notice was given for this evening's meeting. SECONDED – T318. CARRIED

(4) CONSIDERATION OF 3 / 4 VOTE "A" - LEGAL

3 / 4 VOTE "A" reads:

WHEREAS:

A: The Owners of Strata Lots 247 and 276 are in violation of Bylaw 35 of the Strata Corporation's bylaws by having a person under 19 years of age residing in their respective Strata Lot.

- B: The Strata Council is obligated to enforce the bylaws of the Strata Corporation.
- C: Whereas the levying of fines and demand letters from the Strata Corporation's solicitors have not produced compliance with the bylaws.

BE IT RESOLVED THAT AS A 3 / 4 VOTE OF THE OWNERS, STRATA PLAN LMS 1416, CHELSEA GARDENS THAT:

1. Pursuant to s.171 of the Strata Property Act the Strata Council is hereby authorized to retain and instruct legal counsel to commence court actions in the name of the Strata Corporation seeking an order that the owners and occupants of the Strata Lots 247 and 276 comply with the bylaws of the Strata Corporation (and in particular Bylaw 35 thereof) a judgment for fines owed by the said owners and such other ancillary relief.
2. The Strata Council be authorized to instruct legal counsel in relation to all aspects of the said actions and to agree to settlements and compromises thereof as the Strata Council deems to be in the best interest of the Strata Corporation and to be authorized to execute all agreements, releases and other documentation in relation thereto.
3. That the sum of up to \$20,000.00 be taken from the Contingency Reserve Fund on the 5th day of October, 2005 and the said funds will be expended for the purpose of the prosecution of the said actions.

It was MOVED – T283 to adopt 3 / 4 Vote "A" as presented. SECONDED – T318 .

It was MOVED – T283 to amend 3 / 4 Vote "A", that the reference to Bylaw 35 should read Bylaw 37. SECONDED – T318. The Question was called on the amendment by show of hands.

219 in favour, 0 Opposed, 0 noted as abstained.

CARRIED

At this time, Gerry Blanchard reported that the Owner of Strata Lot 247, Unit T271 reported that her grandchildren do not reside within the unit any more. The Owners' actions to remediate this bylaw infraction was appreciated.

A number of Owners spoke to the Resolution and the Question was called and a vote taken by a show of hands. 195 in favour, 24 Opposed, 0 noted as abstained.

CARRIED

(5) CONSIDERATION OF 3 / 4 VOTE "B" - MAYFAIR

3 / 4 VOTE "B" reads:

WHEREAS:

- A: The Strata Council has received a Building Envelope Assessment regarding the Mayfair at Chelsea Gardens, Strata Plan LMS 1416, 13870 – 70th Avenue, Surrey, B.C. – See attached.
- B: The report from McArthur Vantell Limited (MVL) has recommended that a number of areas be explored and appropriate repairs made.
- C: Recommended repairs are estimated at a total cost of \$ 42,219.00.

D: The Strata Council felt that since the work involves "chasing a leak" that additional funds may be required during this repair. Rather than hold up the work in progress, Council felt it prudent to request funds of up to \$60,000 to complete this work from the Contingency Reserve Fund.

BE IT RESOLVED THAT:

As a 3 / 4 Vote of the Owners, Strata Plan LMS 1416, Chelsea Gardens that authority be given to spend from the Contingency Reserve Fund up to \$60,000.00 to complete recommended repairs as noted in the McArthur Vantell Limited's Building Assessment report and any further repairs identified during the noted repair process.

It was MOVED – T283 to adopt 3 / 4 Vote "B" as presented. SECONDED – T318 .

It was MOVED – T283 to amend 3 / 4 Vote "B" to add the words "and complete further investigation" following the words "\$60,000.00 to complete recommended repairs SECONDED – T318

The Question was called on the amendment by show of hands.

219 in favour, 0 Opposed, 0 noted as abstained.

CARRIED

At this time the Strata Council's Treasurer gave a review of the financial status of the Contingency Reserve Fund.

A representative from McArthur Vantell Limited, Blair McDonald spoke to the work that was needed and answered a number of questions regarding the needed research and possible repairs needed for the Mayfair.

A number of Owners asked questions regarding the exploration areas, expected work schedules and costs. Mr. Blair McDonald answered the questions to the satisfaction of the Owners.

Gerry Blanchard gave a summation of the Owners views, beliefs, and his views of the needed actions to obtain certification of the Mayfair. The investigative work will commence in late October, 2005 and should be complete in January, 2006. McArthur Vantell will then give a report on their findings by late January or early February, 2006 and make recommendations on what additional work needs to take place. Another "General" meeting will then be held in order to present this report to the Ownership.

The question was called and the President called for a private ballot.

182 in favour, 11 Opposed, 1 spoilt.

CARRIED

(6) TERMINATION OF MEETING

Following the announcement of the results of the 3/4 Vote B, the President stated that the ballots will be destroyed. President Harry Steele then declared the meeting adjourned at 8:45 p.m.

Gerry Blanchard
Strata Manager

SIGN-IN NOTE:

Owners who signed in tonight were requested to indicate if they had access to the internet in order to determine if Chelsea Gardens should develop an internet web site. 46% of the Owners who attended the meeting indicated that they have access to the internet.