

The Owners' Strata Corporation LMS 1866 Commercial

288-970 Burrard Street, Vancouver, BC V6Z 2R4

COMMERCIAL COUNCIL MEETING July 15th, 2011 - DRAFT MINUTES

Present: Peter Morgan, President, Chair
Johan Arnet, Vice-President
Amanda Lu, Treasurer

Regrets: Peter Cheung, Corporate Secretary, Privacy Officer

Guests: Alan Davis, Building Manager
Gene Cherneski, representing an LMS 1866 commercial owner

1. Meeting was called to order at 2:13 PM by the Chair, who declared a quorum.
2. Review of Board Meeting minutes of June 17, 2011
Motion (Lu/Arnet): To approve with changes. **Approved.**
3. We have received the minutes of January, February, March and April meetings.
Motion (Lu/Arnet): To receive all. **Approved.**
4. Building Manager's report – Alan Davis
 - a. **Motion (Arnet, Lu)** To approve a budget of up to \$2,000 for the purchase of a floor washing machine per attached documentation to be used exclusively on common areas in the commercial section. **Approved.**
 - b. A few months ago, the new owner of #222 reported a stain and water damage in the ceiling of his unit. Upon investigation, a drain pipe was found in the ceiling and the insulation was wet. This is a grey-water drain pipe for kitchens in the residential section. It was thought that likely someone had spilled water on the floor. It ran down the pipe and into the insulation. Further investigation showed no obvious problem and the owner was asked to monitor the situation. Last week, the painter was asked to repair and paint the ceiling and walls, and discovered more wet insulation in the common area. Ealfon Mechanical was called in and determined that there appeared to be a break in the pipe. More drywall was removed to facilitate the repair. Once the drywall was removed it was determined that it was not a break in the pipe but two pieces of pipe that were never connected during construction. The repair was completed. The owner is thanked by the Board for his significant cooperation.
 - c. B10 ground water leak status report. **Motion (Arnet/Lu)** to refer to Strata Council as it its an envelope issue **Approved.**
 - d. Electra Health Floor slab breach and leak into bank below – repairs completed.
 - e.
 1. A quote was received to replace the existing commercial water heater, which was damaged by an electrical short but still works. **Motion (Lu/Arnet):** To approve up to \$6,000 to replace the water heater. **Approved.**
 2. Hot water return and supply lines in the basement electrical vault. A portion of both of these lines were replaced on an emergency basis after it was determined that they had multiple patches on pinhole leaks that were covered by insulation and more new leaks appeared. Elafon Mechanical has been asked to investigate and report on the probable extent of the problem. **Motion (Lu/Arnet):** For Elafon to investigate and report. **Approved.**
 - f. As a result of complaints regarding a few sections of the building being too warm, it was decided to adjust the chiller running time to better correspond with building hours. **Motion (Lu/Arnet):** **Approved**
 - g.
 1. The enterphone telephone line has been switched from VOIP to Telus for increased reliability and is functioning correctly.

2. Alan to investigate elevator phones which may also be VOIP. **Motion (Lu/Arnet):** to change elevator phones to Telus if required. **Approved.**
 - h. The Building Manager reported that on instructions from the President, the worn electrical cables that took lighting into the trees of the pull-through planter were removed for safety reasons.
 - i. **Motion (Morgan/Arnet):** To clean all the exterior commercial windows, specifically including the windows and doors on the Hornby Street and Nelson Street of the two story low-rise side buildings, which have not been included for the previous years, along with its canopy, starting in 2011. Cost is to be paid by commercial as an extension of a funding agreement already in place via Strata, as it benefits all of the owners by overall appearance of the building. **Approved.**
5. Security issues:
- a. Fobs for the former council executive have been returned to the settings and access of regular owners by the Building Manager, and those of the new council executive have been set for access according to their position on Commercial and Strata councils. Keys from any former council executives who had them have been collected by the Building Manager.
 - b. Recommendations for policy change regarding retail access to tower for board room use were discussed at the recommendation of the President, who reported comments to him at the AGM that some commercial owners were not able to access the tower to use the Commercial Boardroom after hours.
Motion (Lu/Arnet): To activate the fobs of retail owners and senior manager of tenants to allow them the use of the Commercial Boardroom after normal building hours upon request. **Approved.**
 - c. Europa Esthetics and Spa requested return of a key to a security door which allowed its employees to use a shortcut to the garbage area and back be returned, after it was removed by the previous board. After discussion, the Board concluded the security issues and precedent potential outweighed the convenience and took no action.
 - d. **Motion (Arnet/Lu)** The Building Manager conduct an audit of fob and key access to the building by contractors.
6. Financials (Treasurer Amanda Lu and accountant Simon Chan)
- a. The June 30 financial reports were presented and discussed: YTD Revenue is \$110,031 compared with YTD Budget of \$108,875; YTD expenses were \$86,606, compared with YTD Budget of \$108,875, for a current operational surplus of \$22,425.
 - b. The quarterly Commercial water meter readings were presented. The Commercial water use average is 18.3% of the building's total water use between July 2010 and July 2011, for a total commercial consumption of 489,814 cubic feet, which is normal.
 - d. **Motion (Lu/Arnet):** to approve the June 2011 financials.
7. President's report
- a. Residents of the basement floor and particularly Room B-5 and tenant Go 2 Productions have reported being excessively warm this summer, and Coast Mountain Air of Burnaby has been asked to investigate the reasons for the inability of the common commercial HVAC system to supply sufficient cooling to the floor. The company was chosen because It has no history of involvement with the complex HVAC issues over the last half year. In the meantime, the President reported that he reached an operating agreement with AEBC to adjust certain draft doors along the main hallway during operating hours, and to ensure they are closed after hours, as a method to temporarily increase air floor and remove warm air build up during the summer while repairs are investigated.
 - b. The President reported the video cam security system is working properly, and has been installed and maintained by owner AEBC over the years, but this has not been formalized. **Motion (Arnet/Morgan):** To continue use of existing contractors for maintenance as necessary.

- c. The President reported that the tenant of unit 122, Cryolab Canada, which operates a cryogenic spa that uses cooled nitrogen has been asked by the President to ensure the 1,000-lb nitrogen tank be securely strapped to an interior wall to prevent it from moving during an earthquake.
 - d. The President reported that Residential has begun the process to update its website, and asked the Board if it wished to be a part of a joint project with Residential to update the Commercial website at the same time. The Board, following discussion, declined to do so.
 - e. The President reported that the Strata Council has approved giving AEBC read-only access to the DDC system's information so that the company can more accurately adjust its own cooling system in turn.
 - f. The President reported that the Electra Health Floor had not completed exterior finishing for a portion of its floor renovations that were visible to other owners, and that a large bracket had been attached to a common wall as part of a lighting project that had not been completed. A letter had been sent to the owner requesting that within two months it provide plans to the Board showing how the exterior would be completed on the exterior wall, and that a comfort letter from a contractor be provided to show that it was ready to complete the work by deadline, and remove the bracket.
 - g. The President provided the Board with a number of photos showing how the owner of Electra Laser had taken over several walls along the retail hallway with its signage and asked for further direction from the Board as to how to adjust the retroactive rental agreement for it.
 - h. **Motion (Arnet/Morgan):** To hire Cobalt Engineering of Vancouver to research and prepare Council's side of operating agreements for AEBC projects. **Abstention:** Amanda Lu. **Approved.** Amanda Lu abstains.
8. Correspondence
- a. An email was received from director Amanda Lu requesting directors Peter Morgan and Johan Arnet be excluded from voting on AEBC projects upon allegations of conflict of interest.
Motion (Morgan/Arnet): Motion to receive June 21st email from director Amanda Lu to council. **Approved.**
9. In Camera: Council went in camera to discuss a matter involving legal strategy.
10. Adjourn: Motion to adjourn 4:48 pm.