

COUNCIL MEETING
Monday, February 16, 2009, 3pm
1st Floor Conference Room
DRAFT MINUTES

Present: John Davies, President
Mark Bentz, Director
Tony Lum, Vice-President
Guests: Terry Irving, Building Administrator
Martha Welsh, Owner

Meeting called to order by John Davies at 3:10pm. A quorum was present.

1. Minutes dated January 15, 2009, and February 4, 2009, were approved as presented.
2. Financials – Update AR, AP, CRF
January financials were approved as presented.
3. AGM Planning – Special Resolutions were discussed:

The special levies shall become due and payable immediately upon passing of its resolution below. Any owner, who sells, conveys or transfers his/her title, including a remortgage, shall pay the full amount outstanding.

These special levies shall be considered as part of the common expenses of the Strata Corporation and Section 116, 117 and 118 of the Strata Property Act shall be applicable where an owner fails to make the required payment as authorized by the passing of the $\frac{3}{4}$ vote. There are 14 owners in attendance holding a total of 23,307 votes. 17,481 votes constitute 75% and 5,826 constitute 25%.

A. Building tower crown repair (not started):

“BE IT RESOLVED, with a $\frac{3}{4}$ vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise the sum of \$61,275. (Total repair cost is estimated to be \$200,000 for the combination of \$80,000 Scaffolding, \$120,000 for the actual repair, less \$20,425.00 raised on May 2008, less Residential contribution \$118,300, require raising amount is \$61,275) by way of special levy for the repairing of the building tower cement crown on the roof. The crown was reported as a must repair item on the Spratt Emanuel Engineering building envelope study report. This is a joint Residential and Commercial project. Residential pays \$118,300”

B. Building street level mosaic wall repair (not started):

“BE IT RESOLVED, with a $\frac{3}{4}$ vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall put the sum of \$20,425 raised in May 2008 into the CRF account for future repair of the building street level mosaic walls. The mosaic coat covering the street level of the building is failing according to the Spratt Emanuel Engineering (SE) building inspection report. This is a joint Residential and Commercial project. Residential pays \$29,575.00” (this project did not get started because Residential section does not agree on the SE

repair method that bolts down the Mosaic wall every 2 feet square)

C. 2009/2010 Insurance cost:

“BE IT RESOLVED, with a 3/4 vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise by July 16, 2009 the sum of \$38,807.50 (building replacement cost for 2009 is \$80,294,600, up from a year ago at \$73,382,00, insurance for 2008/2009 was \$82,475, estimated insurance cost for 2009/2010 is an increase of 15% to \$95,000, residential contributes \$56,192.50, commercial contribution is \$38,807.50) by way of special levy for the 2009/2010 building insurance, cost is to be ~\$95,000. (FYI, Our building replacement cost in 2006 was \$60,684,000, 2007 was \$73,382,000, 2008 was \$80,294,600)“

D. Water meter installation (water meter was stolen by Residential):

“BE IT RESOLVED, with a 3/4 vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise the sum of \$6,000 by way of special levy for the purpose of re-installing a Commercial section water meter. Council has been upgrading the Commercial water pipe and installed a Commercial water meter in December 2008, Commercial was ready to activate and begin to measure the Commercial water consumption as of Jan 2009 but on Jan 9 Residential hired someone to steal it so we never got a chance to find out how much water Commercial is using. (FYI, Commercial has 13 small common washrooms and few private ones in the strata lots whereas Residential has 243 homes, 243 showers, over 243 toilets, 243 kitchens, common laundry rooms on each of the 19 floors and common washrooms in main level and janitor sink in the LM level. Council believes Commercial is using less water than the current 40.85% water/sewer expense. After a few months of water measurement and study, Council was planning to deal with the water/sewer share expense with Residential but Commercial now has no meter. Council wants to re-install the meter to measure and pay Commercial’s actual water/sewer expenses).

E. Water pipe repair project continues:

“BE IT RESOLVED, with a 3/4 vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall continue to use the remaining \$25,000 of the \$50,000 raised by way of special levy for the purpose of repair or up grade the Commercial owned water pipes”

F. Replace Mezzanine, 1st and 2nd floor Elevator lobby carpets:

“BE IT RESOLVED, with a 3/4 vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise the sum of \$15,000 by way of special levy for the purpose of replacing the Mezzanine, 1st and 2nd floors elevator lobby carpet, and purchase of a new floor mat for the 970 Burrard main entrance”

G. Overall building repair fund raising continues into the 2nd year:

“BE IT RESOLVED, with a 3/4 vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation has raised \$25,000 on its first year and shall continue raising the remaining sum of \$25,000 by way of continuing the \$2,083.43 per month strata fee collection for purpose of raising \$50,000 for the over all building re-coating and caulking. The estimated project cost is ~\$100,000. Residential contributes 59.15% and Commercial 40.85% project”

H. Enclose 1st Floor Conference Room with Glass Walls/Door:

“BE IT RESOLVED, with a $\frac{3}{4}$ vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise the sum of \$10,000 by way of special levy for the purpose of enclosing the 1st Floor Conference Room with Glass Walls and Door”

I. Repair Stairs:

“BE IT RESOLVED, with a $\frac{3}{4}$ vote of THE OWNERS, STRATA CORPORATION LMS1866 COMMERCIAL that the Strata Corporation shall raise the sum of \$10,000. This is a joint Residential and Commercial project. Residential budgeted \$15,000

4. Mainland Plumbing Claim

The Real Estate Board has set a Discipline hearing court date on June 3&4, 2009, to question Facilitatech for violating the Act. We are scheduled as witnesses for the Mainland Plumbing Co. case. Date and details attached.

A question was raised as to why Facilitatech did not notify the insurance company in 2007 when the Strata Corporation was sued by Mainland Plumbing Co., resulting in the Commercial owners defending this suit at their expense instead of the insurance company. MOTION: to notify the Real Estate Council of British Columbia. CARRIED

The meeting was adjourned at 4:30pm.