

The Owners, Strata Corporation LMS 1866 Commercial

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January 15, 2008

Minutes of the January 15, 2008 meeting of the Commercial Council of LMS 1866

Note to readers: These minutes are in draft form. Any errors, corrections or omissions will be discussed at the next meeting of council, and noted in those minutes.

Present: John Davies (president), Tony Lum (vice-president), Mark Bentz (treasurer).

Guests: Anna Moldovan (minutes), Martha Welsh (owner of unit 135)

Mr. Davies declared a quorum and called the meeting to order at 3:15 pm in the Commercial Boardroom.

1. Motion (Davies, Bentz): To approve the minutes of the Commercial Council Meeting for December 17, 2007. Approved.

2. Financials

2.1. Accounts Receivable, Accounts Payable, Bank Account Balances

Ms. Moldovan presented the January Accounts Receivable collection, Accounts Payable and bank account balances. As of January 14, 2008, 6% of the total January Strata fees were uncollected and the total amount of carry forward balance from last year was reduced from close to \$20,000 to \$11,000. **The strata council has informed owners in the important notice sent out in December 2007 that starting January 16, 2008, a \$50.00 administration fee will be issued to all accounts that have an outstanding balance. Any unit(s) that have outstanding balances over 60 days will have a lien placed against them and a further \$250 charge will be issued to the account. Any outstanding balances 60 days after that will initiate a forced sale of the unit(s) and a further \$5000 charge against them**

Ms. Moldovan reported that our contingency reserve fund as of January 15, 2008 was reduced from \$91,000 to \$66,000 due to a major repair of the main tower mosaic wall that our portion of the cost so far is \$25,000. The project is still not yet completed and additional costs will follow. The project is currently managed by Residential/Facilitech. The total cost was estimated at \$50,000 but now has reached \$60,000 and \$70,000 is anticipated. Council is urging Residential/Facilitech to complete all the necessary repairs as soon as possible because the cost of renting the swing stage is \$2,100 per month or about \$100 each working day. The repair reports are posted on the web site. Please visit www.theelectra.net for more info.

2.2. Motion (Bentz/Davies): Forced sale of a strata lot. Approved
Mr. Davies is going to contact the lawyer to start the procedures for the sale of a strata lot for unpaid fees and hydro charges.

2.3. Motion (Davies, Bentz): To approve the Financials. Approved.

3. Steam cost separation

Central Heat Distribution has been contacted and asked to install a separate meter for the Commercial Section (at the moment we are sharing a single meter with the Residential Section) because of the high monthly steam cost. For instance, the steam bill commercial shared expense for December 2007 was in the amount of \$21,461.25.

The Council strongly recommends separating the steam usage and a proxy vote is required since the cost for this long term saving will be about \$9,500. Proxy to be sent to owners for approval.

Motion: (Bentz/Davies): To send out the proxy vote to seek owner's approval for this new steam meter installation for the purpose of efficient management of steam consumption and long term saving. Approved.

4. Sewer line investigation

Due to a sewage line problem, the commercial floors bathrooms were closed for a day for cleaning and investigation. We worked with the City of Vancouver Engineering and Inspection departments to resolve the issue and determine suitability of the sewer before reopening them for tenants and owners to use.

5. Overview of work done and needed in the Electra

5.1. Elevator contract and maintenance

Otis, the service contractor for the commercial elevators, is being called often in order to improve the running of the commercial elevators. Also, Ms. Moldovan is following up renewing the old service contract with Otis and having Otis do more work on the elevators such as replacing the elevator door sensors and fine tuning the system for smoother operation.

5.2. Light bulb replacement

The burned out light bulbs in the elevators have been replaced.

5.3. Burrard landscape sidewalks

The new cement tiles that were installed beside the Burrard Street sidewalk have become a hazard. The sand underneath has washed away from some of them and made them unstable and there is a risk of liability occurring due to the possibility of people tripping and falling on the sidewalk. Mr. Lum is going to contact the landscaping contractor and solve the

warranty work issue with them. Ms. Moldovan was instructed to stop payments to the contractor until they fix this problem.

The contract with our landscaping contractor expires March 1, 2008 and they have informed us they will not be renewing it. As a result a search for a new contractor is required.

5.4. Nelson Street fence repair

The recent strong wind took out a few pieces of the Nelson Street fence by Pattison High-School. The fence boards are rotting and need to be replaced. Council is requesting quotes.

The broken exhaust fan motor for the school bathrooms has been replaced.

5.5. Scotia Bank ATM entrance door

The Scotia Bank has asked Council to fix the ATM door, which does not lock properly. The door lock is opened by bankcards and it is the Banks responsibility to deal with this issue.

5.6. Heating coil flushing update and change of HVAC filters

All HVAC filters have been changed and the HVAC is working better now. Mr. Lum mentioned that a reverse water flush had to be done in order to clean out the heating coils. This reverse flush has to be done at least 3 times a year. The water coming out is very dirty and the entire heating system should be flushed every 6 months.

6. Loading Bay bookings

The current method of booking the Common loading bay is not working for Commercial owners and tenants. It is difficult to contact the Residential Building Manager to book the loading bay and after hours there is no way to determine if it is already booked. Therefore, to avoid double booking the loading bay Commercial Council will arrange for a white board or some other method of writing down bookings to be placed outside the loading bay. This can be used by both Commercial and Residential.

Motion (Davies/ Bentz): To install a board for self-booking of the loading bay. Approved.

7. Form K's to be collected

Facilitech Property Management has not provided the Commercial Section with any Form K's-Notice of Tenant's responsibilities that they may have on file. Council is asking owner's help to have the Form K, included with these minutes, filled in as soon as possible and sent to the administration office. Please provide all the information on the form, as we need emergency and contact information for every unit rented out. Council would appreciate knowing normal business hours also.

8. Update on the mosaic wall repair

We have had more strong winds but the repairs to the mosaic wall appear to be working perfectly. The repair is in the final stages and a coating will soon be applied to the tiles but warmer weather is required (above 7 degrees) to do this. Facilitech Property Management,

The Residential Sections property manager is overseeing the project. Council is receiving updates as the job progresses.

9. Joint Strata Council Issue

The Commercial Council has lost faith in Mr. Howard Burton to be unbiased and would like to have someone else on the Joint Council.

Motion (Davies, Bentz): To ask to have Mr. Howard Burton removed from the Joint Council. Approved.

10. Fob system to replace keys on commercial floors.

The Council is looking into pricing for replacement of entry door keys with a fob system. A resolution will be drafted to include the fob system, as a special project, in the Annual budget to be reviewed at the AGM.

11. Facilitech Property Management reinstating the garnishing order

Mainland Plumbing and Heating Ltd had obtained a court garnishing order against Facilitech Property Management and Strata LMS 1866. The judgement of \$25,600 has been applied against Facilitech's accounts. Facilitech Property Management has petitioned the court to have the judgement and garnishee order set aside. The Commercial Section is opposed to this court action and has instructed Edwards, Kenny and Bray to represent our interests in this matter.

12. Permits and drawings for renovations and work done inside strata lots

To ensure the safety of all at the Electra, the Council will now follow up with all owner and tenant improvements to make sure that all work is done to City of Vancouver codes and that any required permits are taken out. We will now be asking all tenants and owners who are doing renovations or improvements inside their strata lots to provide the administration office with copies of the City's permits, approvals and drawings.

Motion (Davies, Lum): To adjourn the meeting at 5 pm.