

*Held in the Meeting Room
at 1128 Sunset Drive, Kelowna*

**STRATA COUNCIL
2014 / 2015**

PRESIDENT
Brian Pedersen

VICE-PRESIDENT
Hazel Christy

SECRETARY/TREASURER
Alex McClelland

AT LARGE
*Cindy Weiss
Brenda Dwyer
Ron Moser
Marc Whittemore*

STRATA MANAGER:
Susie Czinger

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STRATA WEBSITE
www.kas2849.mybaywest

PRESENT:

Brian Pedersen
Hazel Christy
Alex McClelland
Ron Moser
Susie Czinger, Baywest Management Corporation
Dan Bregolis, Building Manager

REGRETS:

Marc Whittemore
Cindy Weiss
Brenda Dwyer

(1) CALL TO ORDER

The meeting was called to order at 3:20 p.m. and a quorum was established.

(2) GUEST BUSINESS

The Owner of SL 78 requested a meeting with council to present some information on bike racks for the bike rooms and possible use of wall space in the underground parking areas. Options will be presented when Council calls a town hall meeting to get owner input. As the cost would be quite large this would require ownership approval at a general meeting.

(3) ADOPTION OF THE AGENDA

After one addition was made to the agenda, it was then moved and seconded to adopt the agenda as amended. **CARRIED**

(4) ADOPTION OF PREVIOUS MINUTES

It was moved and seconded to adopt the Minutes of the Council Meeting of September 3, 2014 as distributed. **CARRIED**

(5) BUILDING MANAGER'S REPORT

5.1 AMONG OTHER THINGS THE BUILDING MANAGER REPORTED:

- No issues with the monthly fire test and drills will continue periodically.
- **ANNUAL FIRE INSPECTION WILL BE TUESDAY, OCTOBER 21, 2014 FOR ANNUAL FIRE SPEAKER/SMOKE DETECTOR TEST. ACCESS IS REQUIRED TO ALL UNITS. IF YOU ARE UNABLE TO BE PRESENT PLEASE CONTACT BUILDING MANAGER AND ENSURE HE HAS ACCESS TO YOUR UNIT. FAILURE TO DO SO MAY RESULT IN ADDITIONAL COST LEVIED FOR RE-TESTING.**
- The engineer has been taking temperature readings in various locations to try and isolate the lack of hot water

problem. One of the hot water tanks stopped working temporarily around Sunday/Monday which affected temperature for all upper units. This is an original tank that was serviced August 30th as it had an igniter issue. The Strata Council then moved and seconded to order a replacement to have on standby as it would take 8-10 weeks to arrive. **CARRIED**

- We may want to consider having a replacement on standby as they are 8-10 weeks away. At this time 2 of the 4 hot water tanks for the building have been replaced.
- Repair was made to the leaky elbow on the lower hot water tank that required the water to be shut off on September 10th.
- A repair has been made to the handicap lift at the indoor pool.
- Fall window clean will be completed by October 12, 2014 and there are still 6 windows that require replacing.
- **The outdoor pool will be closing on October 14, 2014.**
- Roof anchor inspection was scheduled for September 18th and was cancelled due to weather. The Strata Manager will follow up to ensure a date is booked right away.
- 4 hawthorn trees were planted in the areas where the stumps were removed.

DOES YOUR BIKE HAVE A SUNSET TAG?

REMINDERS TO ALL RESIDENTS THAT BIKES MUST BE TAGGED. PLEASE SEE THE BUILDING MANAGER IF YOUR BIKE DOES NOT HAVE A TAG. UNTAGGED BIKES RISK BEING SENT TO CHARITY.

5.2 BYLAW AND RULE CONTRAVENTION REPORT

- On September 4th at 8:50pm and again at 9:25pm security was called to attend a unit due to loud music, yelling in the hallways and beer cans being thrown over the balcony. Council also received written complaints from surrounding units. The occupants of the unit were levied a fine in the amount of \$200.00 which has been collected.
- On September 6th at 12:09am, September 20th at 11:45pm and again on September 26th at 10:00pm Security was called to attend a unit for noise violations. Council also received written complaints from surround units. Upon review the Strata Council has directed the Strata Manager to write to the owner of the unit and implement a fine in the amount of \$400.00.
- On September 14th security was called as there was a homeless man sleeping on the deck of a unit. The owner is advised to call the police in future and security will be asked to check the deck while on site during the course of the evening.
- On September 25th at 11:18pm security was to a unit due to noise. Security spoke to the resident of the unit and guest vacated. As one of the guests was leaving he removed plants from a planter and threw them on the security vehicle parked out front. The occupant of the unit was levied a fine in the amount of \$200.00 which has been collected.

RESIDENTS ARE REMINDED THAT WHEN CONTACTING SECURITY YOUR NAME AND UNIT NUMBER MUST BE PROVIDED OR THE COMPLAINT MAY NOT BE RESPONDED TO.

SHOULD SECURITY BE CALLED AND NOISE IS FOUND THE COMPLAINANT RISKS BEING CHARGED THE CALL OUT FEE.

IT IS IMPORTANT TO MAKE YOURSELF AVAILABLE FOR SECURITY TO CORROBERATE THE NOISE COMPLAINT.

(6) CORRESPONDENCE

Correspondence was received from an Owner requesting to tile their deck. It was moved and seconded to approve the modification with conditions. **CARRIED**

Correspondence was received from an Owner on September 21, 2014 regarding the hot water issue. As noted above under building manager report the investigation continues and the engineer is engaged. However, on this particular day there had been a hot water tank failure which contributed to the lack of hot water.

Correspondence was received from an Owner complaining of excessive noise emanating from a unit. As noted above the unit was levied a fine \$400.00.

Correspondence was received requesting allowance of an oversized dog. The request has been denied due to the pet Bylaw and the Strata Manager was directed to respond in writing.

Correspondence was received from an Owner complaining of excessive noise emanating from a unit. As noted above the unit was levied a fine in the amount of \$200.00.

Correspondence was received from an Owner on September 30, 2014 requesting Sunset Waterfront Resort Owner list, parking stall and locker list as well as the names of the tenants in accordance with section 36 of the Strata Property Act. The information was emailed by the Strata Manager on Monday, October 6, 2014.

**IMPORTANT NOTICE – FIRE LANE
NO PARKING – VEHICLES WILL BE TOWED**

PARKING IN THE FIRE LANE IS NOT ALLOWED. MARIO'S WILL BE PATROLLING THE LANEWAY AND VEHICLES WILL BE TOWED AT OWNER'S EXPENSE. SIGNAGE IS POSTED IN THE LANEWAY AND THERE WILL BE NO EXCEPTIONS.

It is difficult for Council to address concerns without the appropriate unit number, date and time. **All correspondence must be submitted to Baywest via email sczinger@baywest.ca and not directly to the building manager or individual on the Strata Council in order for all of Council to review and have as a matter of record.**

Owners are reminded that an application for unit modifications must be submitted for Council approval prior to any work commencing. Please obtain modification form from the Strata Manager sczinger@baywest.ca.

(7) FINANCIAL REPORT

7.1 FINANCIAL STATEMENTS

After a review of the statements for August 2014 and September 2014 and report from the President and Treasurer, it was moved and seconded to approve the financial statements for August 31, 2014, and September 30, 2014. The motion was **CARRIED**

7.2 RESERVE & GEOTHERMAL LOAN TRACKER (July)

Contingency Reserve Funds Including GIC: \$795,835.27

Geothermal Reserve Funds & Loan

Geothermal Reserve (in the bank) \$ 85,989.45

Geothermal Loan Outstanding \$2,271,248.59

Current portion of Loan Payable \$55,936.74

Equity in Geothermal \$467,927.26

7.3 CONTINGENCY FUND TRANSFER TO GIC

The Strata Council reviewed the Contingency Reserve funds and voted unanimously to move \$200,000.00 into a 270 day non-redeemable GIC at 1.9%. **CARRIED**

7.4 ACCOUNTS RECEIVABLE REPORT

The Strata Manager reviewed the accounts receivable and advised that as of October 7, 2014 there was \$17,562.08 outstanding of which \$10,000.00 is the deductible charge back on the unit that caused the insurance claim. Due to new legislation the strata council will be aggressive with collections being sent legal and Owners risk forced sales on units. Unit Owners in 60 days arrears are in jeopardy of having their account sent to legal for collection.

Reminder notices and letters to Owners are additional costs to the Strata Corporation. Overdue accounts are subject to 10% late penalties as per the Strata Bylaws. The Strata Manager has been directed to send files to the Strata Lawyer when they are 60 days in arrears. In the event that Baywest is directed to write a demand letter there will be a \$50.00 plus taxes charge applied to the Strata Lot.

Owners who would like to review their account and set up pre-authorized payment are requested to contact Susie Czinger at Baywest 250-448-0044 or via email sczinger@baywest.ca

(8) BUSINESS ARISING FROM PREVIOUS MINUTES

REMINDER

Should the heat pump or thermostat inside your unit require service Owners will now need to call Kimco service department directly at (250)491-2282. You will be required to provide a credit card hold in advance of the service technician being scheduled.

8.1 INSURANCE CLAIM FILE – WATER ESCAPE

Currently the repair scope is being constructed as well as a secondary bid. Once bids are reviewed by Strata Adjuster with recommendations to the Strata the work may commence. Council would like to thank all Residents for their patients during this time.

8.2 FUTURE POTENTIAL PROJECTS

These items are deferred until quotes received and reviewed by Council and a determination of when to present to the Owners for consideration.

- Resurfacing of Driveway/3rd level
- New Front Lobby Doors – unfortunately this will now be removed from the list. Due to new building codes this doors cannot be upgraded with all glass.
- Pergola at Pool – awaiting updated quote from Ray's on Deck
- Creation of Resident Lounge

(9) NEW BUSINESS

9.1 SNOW REMOVAL

Prior to todays meeting Council received a quote from Global Roadway Maintenance. A contract has been signed for 3 years to avoid the monthly stand by fees which are an approximate \$1500.00 cost savings.

9.2 LETTER FROM PRIVACY COMMISSIONAIRE

The Strata Council received a Notice of Complaint from the Privacy Commissionaire (OIPC) that was filed by an Owner. The complaint was submitted that KAS2849 failed to comply with PIPA as follows:

- Improper collection of personal information (s.6 of PIPA)
- Improper use of personal information (s.6 of PIPA)
- Unauthorized viewing of live-feeds from the video surveillance system
- Unauthorized viewing of live feeds from the video surveillance system to levy fines against strata owners.

As a result of this complaint the Strata Corporation has received another letter requesting that 12 questions be answered as well as a copy of the Strata Corporation bylaws to be submitted. The Strata Manager has been provided the answers to the questions and asked to submit to the Investigator as soon as possible.

9.3 1128 SUNSET SIGN AT ENTRANCE

The Strata Council has received complaints from residents at Discovery Bay that the address sign is on their property and are requesting removal. The building manager will be directed to remove the sign and mount it on Sunset Waterfront Resort property.

(10) TERMINATION OF MEETING

There being no further business, the meeting was terminated at 4:40 p.m.

(11) NEXT MEETING DATE

The next council meeting will be held on Wednesday, November 5, 2014 at 4:00pm in the meeting room.

Please be advised you should retain copies of Council and General Meeting Minutes for a period of 2 years.

**NEXT ANNUAL GENERAL MEETING
HAS BEEN TENTATIVELY SCHEDULED FOR
JULY 22, 2015**