

*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*

*Phone: (250) 448 – 0044  
Toll Free: 1 (888) 648 - 0044  
Fax: (250) 448 - 0046  
Toll Free Fax: 1 (877) 448 - 0046  
E-Mail: [sczinger@baywest.ca](mailto:sczinger@baywest.ca)*

**ACCOUNTING INQUIRIES:**  
*1-877-585-4411*

**BAYWEST FORMS DEPT:**  
*1-877-595-8380*

**BAYWEST MANAGEMENT**  
**100 – 1100 LAWRENCE AVE.,**  
**KELOWNA, B.C. V1Y 6M4**  
*24 Hour Line: (604) 448 – 0044  
Toll Free: 1 (888) 648 - 0044*

**STRATA WEBSITE**  
[www.kas2849.mybaywest](http://www.kas2849.mybaywest)

**PRESENT:**

Brian Pedersen  
Hazel Christy  
Alex McClelland  
Cindy Weiss  
Brenda Dwyer  
Ron Moser

**REGRETS:**

Marc Whittemore

Susie Czinger, Baywest Management Corporation  
Dan Bregolis, Building Manager

**(1) CALL TO ORDER**

The meeting was called to order at 3:35 p.m. and a quorum was established.

**(2) 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**

**(3) ADOPTION OF PREVIOUS MINUTES**

It was moved and seconded to adopt the Minutes of the Council Meeting of November 5, 2014 as distributed.

**CARRIED**

**(4) BUILDING MANAGER'S REPORT**

**4.1 AMONG OTHER THINGS THE BUILDING MANAGER REPORTED:**

- No issues with the monthly fire test and drills will continue periodically.
- A recirculation pump in the upper mechanical room failed resulting in water leaking down the elevator shaft wall. After investigation the only damage was to the ceiling of the 20<sup>th</sup> floor that already had pre-existing damage from a heat pump leak. The pump has been replaced and the ceiling has been repaired.
- The igniter for the hot water tank in the upper mechanical room was replaced today, December 3, 2014 and the part has been ordered. We did not have any hot water complaints for the past 3 weeks until Sunday which upon inspection the tank was again failing to light. The Engineer's proposed next step in the investigation is as follows; as we know the issue exists on the circuit with the 5 drops from the 15<sup>th</sup> to the 8<sup>th</sup> floor, we need to isolate the 5 drops from the rest of the building. If there are shut off

valves on the 18<sup>th</sup> for the drop to the 15<sup>th</sup>, then we could use those. Otherwise, we will need to shut off the hot and recirculation water in the upper mechanical room. The cold may need to be shut off in the lower mechanical room. With the water shut off, we drain down the water at the 14<sup>th</sup> floor. Next, we turn on the cold water, open a cold water tap in one of the suites on

15. As soon as we get water from the cold water tap, we shut off the cold tap and open the hot tap. If we get water from the hot tap then we know there is a cross-connection problem for that drop and then check each suite and each fixture on the drop until we find the cross-connection. It may be necessary to do this for all 5 drops and with the hot water on and the cold water off. We expect it could take all day however, we could get lucky and find the problem on the first drop, or we may need to spend more than a day if we need to go through all five drops. ***The Strata will advise residents in advance of the water shut off with notices door to door, throughout the building and posted on the website.***

- The spare hot water tank has now arrived. It is approximately 800lbs which makes it hard to move and will be stored on the ground level either at or in the garbage room.
- Roof anchor inspection was cancelled again and will need to be re-scheduled when weather permits.
- Some windows require replacing but again due to weather are being re-scheduled to spring.
- We received a call afterhours on November 22<sup>nd</sup> regarding water leaking into a unit on the 11<sup>th</sup> floor. It was determined the water was from a toilet on the 12<sup>th</sup> floor and the water was immediately shut off and owners notified to contact plumber. Owners are responsible for their own repairs.
- **Both indoor pool light fixtures need replacing and the cost quoted by Valley Pools is approximately 1600.00 plus tax. It was moved and seconded to proceed with the replacement.**

**CARRIED**

### **DOES YOUR BIKE HAVE A SUNSET TAG?**

**REMINDER: THAT ALL BIKES MUST BE TAGGED. PLEASE SEE THE BUILDING MANAGER IF YOUR BIKE DOES NOT HAVE A TAG. AN UNTAGGED BIKE RISKS BEING SENT TO CHARITY JANUARY 1, 2015.**

#### **4.2 BYLAW AND RULE CONTRAVENTION REPORT**

- On November 21, 2014 security was called to attend a noise complaint on the 9<sup>th</sup> floor. Upon arrival security investigated and waited approximately 15 minutes and no noise was detected and there was no response when the guard knocked on the unit door. The Strata Corporation will be responsible to pay the call out fee.

**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 CORROBORATE THE NOISE COMPLAINT.**

**(5) CORRESPONDENCE**

Correspondence was received from an Owner requesting:

1. *I called Security at 11pm on Friday Nov 21st to complain of a Party in unit on 9th floor. I called again at 11:25 and asked why no one showed up – I also lodged a formal complaint to the Manager of Securiguard for an explanation (no one called me back). As noted above Security had arrived at the building at 11:13pm and waiting 15 minutes and there was no noise found and no response upon knocking on door.*
2. *Yesterday at 4:30 I arrived home to hear yelling coming from the Indoor Pool after looking in I saw 3 Students Shouting and throwing Pool Furniture around and into the Pool. The building manager review security footage and fob activity and was unable to confirm this event.*
3. *Short Term Bike Parking at the Front Entrance – a Bike's been there since September???? The bike noted in this correspondence is that of a visitor and the building manager advised that it is being used.*

Correspondence was received from an Owner;

Unresolved Correspondence – Non Disclosure of Material Events to Owners

*Why did Council ignore to record any mention of the Gowlings Letter dated March 10,2011 or Voting Results to obtain Legal Advice in the Monthly Council Minutes for the meeting dated April 7, 2011 or any meeting thereafter until the January 9, 2012 “Business Arising” announcement. During this time frame we held our Annual General Meeting on July 25, 2011 – Nothing mentioned to Owners Form B signed by Baywest on August 17, 2011 Section J “Court Proceedings, Legal Disputes or Judgments against the Strata signed as No” There was also a Formal Notice of Default against KAS2849 on December 2, 2011 again no mention of the Legal Dispute. January 20, 2012 Gowlings Letter to KAS2849 – “Our Strata Failed to have a full and proper preventative maintenance routine and full service program in place – as such, the longevity of the equipment will likely have capital cost replacement consequences.” No mention of this to Owners prior to the Special General Meeting to vote and borrow Millions of Dollars to buy the Geothermal System*

Correspondence was previously addressed with this Owner by Council and as well Baywest Management team. A threat letter was received from Gowlings in March 2011 however at that time it was not determined if Earth Energy or POV owned the Geothermal system and no legal advice was sought at that time. Legal proceedings were between Earth Energy and POV and not the Strata Corporation. Therefore Baywest had no authority to note any legal actions on a Form B that did not directly involve the Strata Corporation. All pertinent voting was put forward to the Ownership and the Strata Council considers this matter closed.

Correspondence was received from an Owner requesting:

1. *Realtor Sign Board – Who manages the Board? Can you ask them to keep it current with active MLS Listings and remove the Sold Signs after 1 month (#102 Sold 9 months ago). Signs will be removed as space is needed.*
2. *Visitor Parking Lot – Short Term Renters continue to abuse our Strata Rules. Building Manager is issuing warning notices to abusers.*

**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](mailto: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](mailto:sczinger@baywest.ca).

## **(6) FINANCIAL REPORT**

### **6.1 FINANCIAL STATEMENTS**

After a review of the statements for October 2014 and report from the President and Treasurer, it was moved and seconded to approve the financial statement for the period ending October 31, 2014 as prepared. **CARRIED**

### **6.2 RESERVE & GEOTHERMAL LOAN TRACKER (October)**

Contingency Reserve Funds Including GIC: \$803,796.77

#### Geothermal Reserve Funds & Loan

Geothermal Reserve (in the bank) \$ 87,110.74

Geothermal Loan Outstanding \$2,271,248.59

Current portion of Loan Payable \$49,837.89

Equity in Geothermal \$474,026.11

### **6.3 TAX FILING**

Baywest has completed and submitted the tax filing for the June 2014 fiscal year end.

### **6.4 ACCOUNTS RECEIVABLE REPORT**

The Strata Manager reviewed the accounts receivable and advised that as of October 7, 2014 there was \$8,804.13. 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](mailto:sczinger@baywest.ca)

### **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.**

## **(7) BUSINESS ARISING FROM PREVIOUS MINUTES**

### **8.1 INSURANCE CLAIM FILE – WATER ESCAPE**

Repairs to units are underway and the bulk of work left to be done is flooring and Paul Davis is currently awaiting some Owners to pick their flooring.

## 7.2 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
- Pickle Ball Lines
- Bicycle Room Upgrades

### (8) **NEW BUSINESS**

**No new business was tabled.**

### (9) **TERMINATION OF MEETING**

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

### (10) **NEXT MEETING DATE**

The next council meeting will be held on Wednesday, January 7, 2015 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**