

SUNSET WATERFRONT RESORT – STRATA PLAN KAS 2849

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

**STRATA COUNCIL
2015 / 2016**

PRESIDENT
Brian Pedersen

VICE-PRESIDENT
Mike Kuziw

SECRETARY/TREASURER
Alex McClelland

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

STRATA MANAGER:
Susie Czinger

BUILDING MANAGER:
*Dan Bregolisse
(250) 258 9251*

**ASSOCIA
SERVICE CENTRE
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STRATA WEBSITE
<https://kas2849.myassocia.ca>

PRESENT:

Brian Pedersen
Mike Kuziw (by teleconference)
Alex McClelland
Brenda Dwyer (by teleconference)
Cindy Weiss
Ron Moser

REGRETS:

Marc Whittemore

Susie Czinger, Associa British Columbia
Dan Bregolisse, Building Manager

(1) CALL TO ORDER

The meeting was called to order at 4:06 p.m. and a quorum was established.

(2) ADOPTION OF THE AGENDA

After no additions were made to the agenda, it was then moved and seconded to adopt the agenda as presented. **CARRIED**

(3) ADOPTION OF PREVIOUS MINUTES

It was moved and seconded to adopt the Minutes of the Council Meeting of September 2, 2015 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.
- Monthly generator test was conducted.
- Weekly fire pump tests were performed as required.
- Indoor pool has been converted back to chlorine and both lights replaced.
- Gym bench has been replaced.
- The annual free cleaning of the garbage bins was conducted on September 18th.
- Glass panel for the 2nd level parkade tower entrance was replaced. Unable to determine what caused the break.
- A hole was found in the roof mechanical due to pigeons. A trap was set to capture pigeon and hole repaired. The trap is now located on the roof until January 2016 and pigeons being removed. The total cost for the trap until January 2016 is \$200.00.
- A unit on the 8th floor reported water dripping from their ceiling. It was concluded the water had escaped from the shower in the unit above on the 9th floor. Agent agreed to pay for repairs to the ceiling on the 8th floor unit as necessary.

- Outdoor pool closure October 13th and winterization on October 15th.
- Fall window cleaning will commence near the end of October.
- An artificial planter shrub was damaged last month and it was replaced with an old one.
- At 9:24pm on September 7th Security called building manager to report a water drip from the ceiling by the vending machines. Knight Plumbing was called in to inspect the tub in the unit above on the 4th floor and it was determined the tub drain seal had failed. The plumber re-installed and it corrected the problem.
- 4 units complained in September that the hot water was taking a long time or water is warm but not hot. We will continue to monitor. The Engineer has been called to do some temperature tests and determine the best location for a booster pump and this is being done at no charge to the Strata Corporation.
- Fire system Tampering occurred on September 13th when security called the building manager at midnight. Building manager arrived on site at 12:15am and met with the Fire Department. There were multiple troubles on the fire panel and the sprinkler system was draining in the parkade. It was determined after considerable inspection of the 3 floors of townhomes that there was no fire and that the service valves for the 1st, 2nd and 3rd floor townhomes had been opened. The valves were closed and the alarm turned off. The building was put on fire watch until Kevin from Troy fire & safety arrived to cap off. The fire department is reviewing how to secure hydrants and will advise if the Strata Corporation can install locking caps that are more tamper proof. Due to the severity of this the police were called (RCMP File #15-5134) and camera footage reviewed and provided to the police. Latch protectors have been installed on the two doors the suspect had used to gain access. After getting authorization from the Fire Department service valve handles have been removed for the doors to the town homes and levels 1-3 in the tower.
- On September 18th a fire extinguisher from the 20th floor cabinet was found lying by the roof door of the 23rd floor and no other signs of foul play were noted.
- On September 16th there was an elevator entrapment in Elevator 1. Thyssen Krupp stated issues in the programming caused the problem. During the call it was noted that the telephone was not working and parts have been ordered.
- Kelowna Fire department provided their inspection report and there were some minor repairs. The report indicated that combustible items such as kayaks and paddle boards need to be removed from the parkade and the three lockers in the stairwells need to be removed. The Strata Manager was directed to write to the three owners requesting the removal of their belongings and the building manager will dismantle the lockers.
- **Currently one of the four tennis court lights is burnt out and it would be more cost effective to replace all the lights at the same time. Council reviewed the quote from Quantus electric to replace all 4 lights with 165W LED lamps and replacement of 1 – 400 HPS ballast and including lift rental for a total \$2,120.00. It was then moved and seconded to proceed with the placement of the lamps and approve the quote. CARRIED**

4.2 BYLAW AND RULE CONTRAVENTION REPORT

- On September 6th at 10:18pm Security was called to attend a unit on the 9th floor due to noise. Security arrived at 10:20pm and reported loud music. Security spoke with the occupant and requested the party be shut down. A written warning was issued.
- On September 7th at 9:50pm Security reported 4 naked females in the outdoor pool area. They were instructed to cover up and were escorted back to their unit on the 6th floor. A fine of \$200 was levied.
- On September 24th at 11:00pm Security was called to attend a unit on the 9th floor due to noise. Upon arrival security could not hear any noise. Security spoke with the occupant advised of the complaint and determined there was not excessive noise and no warning was issued.

- On October 1st at 11:07pm Security was called to attend a unit on the 2nd floor due to loud voices. Security confirmed a party was underway and ordered it to be shut down. Security then received a second call against the same unit at 11:40pm. Security arrived at the unit at 11:42pm and ordered the party to come to a dead stop advising the RCMP would be notified if any further complaints were received. Security reported that approximately 15 people left the unit and disrupted the building as they were leaving. At 1:58am upon return a female resident of the unit was using profanity against the security guard and being very loud in the process. A fine in the amount of \$200 was levied and collected.
- On October 3rd at 11:16pm Security received a complaint against a unit on the 12th floor. Security arrived at 11:18pm and the occupants complied and shut the party down. At 11:26pm security received another call against this unit and arrived at 11:28pm. Upon arrival security reported there were a lot of people inside and ordered all individuals not residing in the unit to leave. Council received an apology letter from the occupants advising they were a little loud due to a birthday party. As the party was shut down within the 15 minutes of first report a formal warning was issued.
- On October 4th at 6:18pm security received a call from the 7th floor requesting 2 bikes have their locks cut and removed from blocking a parking stall. As this is private property Security issued a written notices and placed them on the bikes. It was not known who the bikes belonged to and a formal letter could not be issued to any unit. It was confirmed by the building manager that the bikes had been removed.
- On October 4th at 9:56pm security and council president received numerous complaints regarding an extremely loud pool party of approximately 25 people and as well misconduct towards an Owner. It was determined the individual holding the party resides in a unit on the 18th floor. A \$200 fine was issued for noise and \$200 fine was issued for misconduct and has been collected. The occupants of the unit provided an apology letter to Council and as well apologized personally to the Owner they were disrespectful to. They have acknowledged their behaviour was unacceptable and inappropriate with a guarantee that no further incidents like this would occur.

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 NO 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 IF NECESSARY.

**RENTAL PROPERTY OWNERS
FORM K
MUST BE SUBMITTED FOR YOUR RENTAL PROPERTY**

In accordance with the Strata Property Act and Strata Corporation Bylaws a form K must be submitted for every rental in Sunset Waterfront. Those Owners who have not submitted Form K's for their rental properties will have a \$200.00 fine levied against there Strata Lot and the Strata Council will review posting fines every 7 days for non-compliance.

Owners and agents are to fax Form K's to Associa 250-448-0046 or scan and email sczinger@associa.ca.

(5) CORRESPONDENCE

- Unit modification requested was received from a town home unit requesting to replace their fireplace using Okanagan Fireplace Den. The modification was previously approved via email. It was then moved and seconded to ratify the email vote and approve the modification.

CARRIED

- Correspondence was received from an Owner regarding the depreciation report and if the Strata was commissioning the 3 year update. Due to the geothermal loan and bank requirements, this is not something that the Strata Corporation can be exempted from. The Strata Manager has requested a quote from InspectIT to provide the 3 year update and Council will review at the next meeting.
- Correspondence was received again from the same owner requesting copies of legal opinions and legal invoices from the strata lawyer during the dispute with Gowlings and EEU. This was not a dispute with the Strata Corporation and no such correspondence exists with the Strata Corporation.
- Correspondence was received from an owner regarding an incident at the outdoor pool on October 4th. The matter has been dealt with and noted above under section 4.2.

IMPORTANT REMINDER - CORRESPONDENCE

Strata Council will not be responding to anonymous correspondence. It is difficult for Council to address concerns without the appropriate unit number, date, time and pertinent information. All correspondence must be submitted to Associa via email sczinger@associa.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. Council receives their agenda package 5 business days prior to a meeting. To allow Council to review the package, any items/correspondence received after agenda is distributed, will be brought forward for the next council meeting.

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@associa.ca.

(6) FINANCIAL REPORT

6.1 FINANCIAL STATEMENTS

After a review of the statements for August 31, 2015 and report from the President and Treasurer, it was moved and seconded to approve the financial statement for the period ending August 31, 2015 as prepared. **CARRIED**

6.2 RESERVE & GEOTHERMAL LOAN TRACKER (AUGUST 2015)

Contingency Reserve Funds Including GIC: \$681,093.91 (\$210,000.00 removed for driveway)

Geothermal Reserve Funds & Loan

Geothermal Reserve (in the bank) \$ 98,365.20

Geothermal Loan Outstanding \$2,192,884.17

Current portion of Loan Payable \$65,609.03

Equity in Geothermal \$424,814.89

6.3 ACCOUNTS RECEIVABLE REPORT

The Strata Manager reviewed the accounts receivable and advised that as of October 7, 2015 there was a balance owing of \$7,120.98. 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 Associa 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 Associa 250-448-0044 or via email sczinger@associa.ca

IMPORTANT REMINDER

BYLAW 7 Residential Renters (5) User Fee (a) every owner who uses their strata lot as a rental property at any time during a calendar year shall pay a User Fee of \$300.00 per annum.

THIS HAS BEEN APPLIED TO ALL STRATA LOTS RENTED AS OF JANUARY 8, 2015 AND IS DUE AND PAYABLE TO AVOID FURTHER PENALTIES.

(7) BUSINESS ARISING FROM PREVIOUS MINUTES

7.1 RE-SURFACE OF DRIVEWAY

The driveway re-surface will be commencing right away as the deposit has been paid and contract signed. Signage will be posted for residents will need to allow extra time when leaving each day as there will be disruption for entering and exiting the building.

7.2 FRAUDULANT NOISE COMPLAINT

The Strata Manager confirmed the registered letter which was sent to an Owner who had filed a fraudulent noise complaint. It was confirmed the letter was picked up and signed for. The Strata Council has deferred further discussion to the next meeting.

7.3 LETTER FROM PRIVACY COMMISSIONAIRE

A response will be prepared as requested to the privacy commissioner. Council approved for Associa to charge additional hours for compiling information for the Strata Corporation. Response will be reviewed by all Council prior to sending.

7.4 ROOFTOP LIGHTING

After a deficiency was found the upgrade to LED fixtures is complete

(8) NEW BUSINESS

8.1 TELUS FIBRE OPTIC SIGN UP LETTER

The Telus letter was mailed to all Owners, posted on the Website and posted in the mailroom.

(9) TERMINATION OF MEETING

There being no further business, the meeting was terminated at 4:59 p.m.

(10) NEXT MEETING DATE

The next council meeting will be in the meeting room at 4:00pm on November 4, 2015.

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

NEXT ANNUAL GENERAL MEETING IS TENTATIVELY SCHEDULED FOR JULY 27, 2016