

*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  
Marc Whitemore*

**COMMUNITY MANAGER:**  
*Susie Czinger*

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

**ASSOCIA  
SERVICE CENTRE**  
**1-604-591-6060**  
**1-877-591-6060**  
[abc.service@associa.ca](mailto:abc.service@associa.ca)

**MAILING ADDRESS:**  
**ASSOCIA B.C.**  
**13468 77TH AVENUE**  
**SURREY, B.C. V3W 6Y3**

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

**PRESENT:**

Brian Pedersen  
Alex McClelland  
Cindy Weiss  
Mike Kuziw

**REGRETS:**

Marc Whitemore

Susie Czinger, Associa British Columbia  
Dan Bregolisse, Building Manager

**(1) CALL TO ORDER**

The meeting was called to order at 4:00 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 amended. **CARRIED**

**(3) ADOPTION OF PREVIOUS MINUTES**

It was moved and seconded to adopt the Minutes of the Council Meeting of May 4, 2016 as distributed. **CARRIED**

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

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

- There was an emergency repair to the cold water PRV on the 15<sup>th</sup> floor May 17<sup>th</sup>. The low pressure on the cold side was causing hot water to come through the cold side of the tap in some units.
- The new recirculating pump has finally arrived and was plumbed in on May 31<sup>st</sup> and wired in today. The plumber will return on June 3<sup>rd</sup> to do connections in the 15<sup>th</sup> floor closet. The water will need to be shut off for floors 8 through 20 and drained to make the final connections. This is scheduled for Tuesday June 7<sup>th</sup> 10am-2pm. Water will be shut off for floors 8 through 20 and access will be required to units on the 8<sup>th</sup> floor.
- The required monthly Fire Alarm Test, Generator Tests and Fire Pump Tests were performed.
- Kimco replaced a boiler igniter and is continuing to trouble shoot to try and find cause of intermittent boiler ignition failure.
- 2 ceiling leaks in second level parkade have been repaired above stalls 121 and 156.
- A recommendation from BC Concrete to address efflorescence occurring on the masonry wall bordering the

lagoons stairwell near Sunset entrance. I will obtain more information and possible quote for Council to review.

- There is a concern with the corner edge of a deck above another on the 12<sup>th</sup> floor. As the concern is structural, it was moved and seconded to have an Engineer review the crack and provide a report. **CARRIED**
- There was damage to one of the 8' gym mirrors about 6" from the bottom which appeared accidental. I have put trim along the bottom to cover crack instead of replacing the entire mirror.
- Still waiting to hear from Thyssen Krupp regarding placement of elevator panels.
- There are some lifting tiles in the driveway and Romanesque will be on site June 3 to look at deficiencies.

## **IMPORTANT NOTICE REGARDING VISITOR PARKING**

**Strata Council has implemented Acme towing to monitor the visitor parking at different intervals at no cost to the Strata. Acme will tow any vehicle that does not display a proper visitor parking pass on the dash of their vehicle.**

**There will be no exceptions and the Strata Corporation is not responsible for any vehicle towed.**

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

- On May 13<sup>th</sup> at 11:25pm Security responded to a noise complaint from a unit on the 2<sup>nd</sup> floor regarding noise from one of the neighbouring units. Upon arrival security heard loud talking from a unit and ordered them to be quiet. On May 20<sup>th</sup> at 7:30pm as guard was doing rounds report this same unit was advised to turn off loud music. Again on May 22<sup>nd</sup> at 9:15pm guard reported loud music during rounds and spoke to occupants. A \$200 fine has been implemented.
- On May 21<sup>st</sup> at 6:30pm a resident of the 10<sup>th</sup> floor texted the building manager about glass at the hot tub and included a photo of 5 females in the hot tub. Security attended to the complaint upon arrival on shift at 7pm and found 10 males drinking and yelling. They were ordered to exit the pool area and were escorted back to their unit. A warning was issued.
- On May 22<sup>nd</sup> at 3:51am Security received a complaint from resident on the 9<sup>th</sup> floor of a resident on the 10<sup>th</sup> floor talking loudly on the deck. Security spoke with the male occupant who complied and everyone was removed from the deck. A warning was issued.
- On May 21 and 22 Security attended a unit on the 16<sup>th</sup> floor due to noisy occupants on the balcony from starting from 9:30am, 3am and 5:18am. Strata Manager confirmed that as the occupants were short term guests, a \$200 fine was implemented against this strata lot on May 23<sup>rd</sup> at 9:50am.

**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 their 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 [susie.czinger@associa.ca](mailto:susie.czinger@associa.ca).

**(5) CORRESPONDENCE**

- Correspondence was received from a Resident on the 12<sup>th</sup> floor requesting approval to upgrade their counter tops. The renovation was approved with a \$50.00 move in/out fee to be applied to the strata lot. Community Manager to issue formal approval in writing.
- Correspondence was received from a resident on the 6<sup>th</sup> floor with suggestions for security, bicycles, age restriction and various concerns of noise. Council has taken this under advisement.
- Correspondence was received from a resident on the 10<sup>th</sup> floor requesting to review wording for new bylaws to be present at AGM. Bylaws amendments are not complete and will be provided to all owners with the AGM Notice to be mailed July 7<sup>th</sup>.
- Correspondence was received from a resident on the 10<sup>th</sup> floor providing some suggestions for Bylaw amendments. Council has taken this under advisement.
- Correspondence was received from 3 residents on the 10<sup>th</sup> floor requesting copies of the draft budgets to be presented to the Owners at the AGM. The drafts are still in draft mode and more changes have been requested by Council. All Owners will receive a copy of the proposed budgets in the AGM notice to be mailed July 7<sup>th</sup>.
- Correspondence was received from a resident on the 13<sup>th</sup> floor expressing thanks for the hot water issue which has now been resolved, attention to the garbage room but would like to see the pool open earlier than May long weekend given the weather patterns.
- Correspondence was received from a resident on the 16<sup>th</sup> floor requesting Bylaw amendments to include Council terms, bios be provided in advance for Owners to be on council and noted on proxy form, attendance of council must be 80% for strata meetings or removed and request for New business for owners to bring up or Q&A to be added to AGM. Council has taken this under advisement.
- Correspondence was received from a Resident on the 17<sup>th</sup> floor voicing they are not satisfied with a \$200 fine being implement against a unit on the 16<sup>th</sup> floor as noted above in section 4.2. Council is of the opinion they followed proper procedure for warning. Implementation and fines imposed cannot contravene the Act. This was a short term guest who has vacated the building.
- Correspondence was received from a resident on the 17<sup>th</sup> floor requesting additional information be provided for item 6.2 in the minutes such as the original loan and interest rate payable, year to date interest and year to date principal paid. Council would like to thank the resident for their suggestion and this has been added to the minutes. Owners are also encouraged to review the AGM minutes from 2014. This same resident correspondence also requested final amounts paid on driveway which included in these minutes for all Owners. This same resident correspondence also requested bylaw for no alcohol in common areas which is on the agenda for Town Hall meeting for further discussion.
- Correspondence was received from a resident on the 17<sup>th</sup> floor for items to consider for the

upcoming AGM. Council has taken this under advisement.

## **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 [susie.czinger@associa.ca](mailto:susie.czinger@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 [susie.czinger@associa.ca](mailto:susie.czinger@associa.ca).

### **(6) FINANCIAL REPORT**

#### **6.1 FINANCIAL STATEMENTS**

At time of meeting the May financials had not been prepared by Associa.

After a review of the statements for April 30, 2016 and report from the President and Treasurer, it was moved and seconded to approve the financial statement for the period ending April 30, 2016 as prepared. **CARRIED**

#### **6.2 RESERVE & GEOTHERMAL LOAN TRACKER (MAY 2016)**

Contingency Reserve Funds Including GIC: \$735,911.72

Geothermal Reserve (in the bank) \$108,453.72

Geothermal Loan Outstanding \$2,192,884.17

Current portion of Loan Payable \$6,700.70

Equity in Geothermal \$483,723.22

#### **Geothermal Loan:**

**Loan Payable as of Dec 2012 \$ 2,450,000.00**

**Total Principle paid as of May 2016 \$ 250,415.17**

**Total Interest paid as of May 2016 \$ 449,676.64**

**Total Loan Payable as of May 31, 2016 \$ 2,199,584.83**

**Attached is the original document providing terms of the loan from Pacific Western Bank (now known as Versa Bank) dated December 3, 2012.**

#### **6.3 ACCOUNTS RECEIVABLE REPORT**

The Strata Manager reviewed the accounts receivable and advised that as of February 25, 2016 there was a balance owing of **\$10,306.52**. 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 [susie.czinger@associa.ca](mailto:susie.czinger@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**

Work on the driveway has been completed. There are some deficiencies with bricks lifting and contractor has been called back to remedy the situation.

Total costs for the driveway (\$223,057.02) resurfacing including extra for power wash, sand and sealant was:

Reserves set aside from July 2015 Resolution \$210,000.00  
\$210,000.00 expensed from reserves  
\$5400.00 expensed from improvements line item 7692  
\$6976.48 expensed from repairs and maintenance line item 7660

#### **7.2 LETTER FROM PRIVACY COMMISSIONAIRE**

The Strata Council received a letter from the privacy commissioner on May 4, 2016 in regards to video surveillance at the building. Upon further review and discussions it was moved and seconded to engage a lawyer to provide a legal opinion regarding recommendations.

#### **CARRIED**

Community Manager was directed to contact Doak Sherriff for a quote to provide the legal opinion and seek Council approval prior to engagement.

#### **7.3 DRAFT OPERATING BUDGETS**

The Community Manager brought forward revised operating budgets for Council review. Council has requested further revisions and will need to vote via email or conduct an extra budget meeting to conclude the drafts prior to insertion into AGM Notice package.

#### **7.4 TOWN HALL MEETING – June 15, 2016**

Town hall meeting will be held in the lobby meeting room on June 15 from 6:00pm-7:00pm. (see attached agenda which was previously posted).

**(8) NEW BUSINESS**

**8.2 ANNUAL GENERAL MEETING - JULY 27, 2016**

It was moved and seconded to book the Fairfield Inn for the AGM meeting as the lobby meeting room does not provide adequate space. Details/location will be provided in the AGM Meeting Notice.

**8.2 VOLUNTEER NEEDED FOR 2017 GROWING SEASON**

Sheila McClelland has advised Council that after this landscape season she will be retiring as volunteer for keeping the planters looking beautiful. Council would like to thank Sheila for her years of volunteer work with the Strata Corporation.

Anyone wishing to volunteer for 2017 is asked to email the Community Manager at [susie.czinger@associa.ca](mailto:susie.czinger@associa.ca).

**(9) TERMINATION OF MEETING**

There being no further business, the meeting was terminated at 5:45 p.m.

**(10) NEXT MEETING DATE**

The next council meeting will be determined after the AGM.

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

**NEXT ANNUAL GENERAL MEETING IS CONFIRMED AND SCHEDULED FOR JULY 27, 2016  
TO BE HELD AT THE FAIRFIELD INN AND SUITES**





**Pacific & Western**  
Bank of Canada

December 3, 2012

Strata Plan KAS 2849  
c/o Baywest Management  
1128 Sunset Drive  
Kelowna, BC V1Y 9W7

**Attention: Susie Czinger, Property Manager**

Dear Madam:

**Re: Term Financing for the purchase of the geothermal system at the Sunset Waterfront Resort strata complex located in Kelowna, British Columbia**

We are pleased to advise of the following terms of repayment for the loan which have been established pursuant to the terms and conditions of the Facility Letter dated August 29, 2012:

**BORROWER:** Strata Plan KAS 2849

**FACILITY TR1207172**

**AMOUNT:** \$2,450,000.00 (Two Million Four Hundred Fifty Thousand Canadian Dollars).

**FUNDING DATE:** December 3, 2012

**INTEREST RATE:** 5.66% per annum. Interest will be compounded monthly.

**TERM:** Five (5) years

**MATURITY DATE:** December 1, 2017

**AMORTIZATION:** Twenty (20) years

**REPAYMENT:** Blended monthly payments of principal and interest in the amount of \$17,075.41, commencing on January 1, 2013.

We trust you will find the above satisfactory.

Yours truly,

**PACIFIC & WESTERN BANK OF CANADA**

Karl Neufeld  
Account Executive

KF/BC/kf

Brian Conley  
Vice President



KAS2849

**SUNSET WATERFRONT RESORT  
TOWN HALL MEETING  
SUNSET LOBBY LEVEL MEETING ROOM**

**WEDNESDAY, JUNE 15, 2016  
6:00 pm to 7:00 pm**

**AGENDA:**

- **Conversion of meeting room to Guest Suite**
- **Lobby Décor**
- **Landscaping along Sunset and courtyard**
- **Pergola at pool**
- **No Smoking Bylaw**
- **Alcohol in Common Areas**
- **Security – Bylaw Contraventions**
- **Bicycle Storage**
- **Storage Lockers**
- **Rental Restriction**
- **Privacy Commissionaire Correspondence**

This town hall meeting is for discussion purposes only. No decisions or votes can or will be made at this meeting.

Due to orders from Privacy Commissionaire the Strata Council cannot allow video or audio recording of this meeting. There will also be no allowance for video conferencing to avoid any/all privacy concerns. Anyone found recording the meeting will be asked to leave.