

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

**STRATA COUNCIL
2016 / 2017**

PRESIDENT
Brian Pedersen

VICE-PRESIDENT
Mike Kuziw

TREASURER
Cindy Weiss

AT LARGE
*Marc Whittemore
Wayne Salisbury
Leslie Fee
Ralph Fege*

COMMUNITY MANAGER:
Susie Czinger
susie.czinger@associa.ca

BUILDING MANAGER:
Dan Bregolisse
(250) 258 9251

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

PRESENT:

Brian Pedersen
Mike Kuziw
Marc Whittemore
Cindy Weiss (via teleconference)
Wayne Salisbury
Ralph Fege (via teleconference)
Leslie Fee (via teleconference)

REGRETS:

Susie Czinger, Associa British Columbia
Dan Bregolisse, Building Manager

(1) CALL TO ORDER

The meeting was called to order at 5:00 p.m. and a quorum was established.

(2) ADOPTION OF THE AGENDA

After two 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 June 1, 2016 as distributed. **CARRIED**

(4) BUILDING MANAGER'S REPORT

4.1 AMONG OTHER THINGS THE BUILDING MANAGER REPORTED:

- The required monthly Fire Alarm Test, Generator Tests and Fire Pump Tests were performed.
- On August 19th a unit on the 15th floor reported very hot water coming from the cold water supply. Upon investigation we found that there was a significant cross connection in the wall valve for the washing machine. The valve was replaced by the Rental Manger, no other complaints. This is significant because this is one of the units that had hot water issues prior to the supplemental recirculating pump being installed.
- Garage door to visitor parking had the motor shaft replaced.
- **Annual fire testing scheduled for October 19th and 20th. Suite access is required on the 19th between 9am-4pm. The Building water will be shut off temporarily (up to 30 min) on the 20th to test the main backflow.**
- Cost to repair 3rd level lights \$550. I gave him the go ahead after the last meeting and will be done shortly.
- **The fall window clean will commence Monday September 26th.**

- **The outdoor pool will close Tuesday October 11th.**
- Interior Health inspected the pools and hot tubs on August 30th. They were satisfied with the facilities. A few notations we need to rectify is to upgrade interior Pool and Hot Tub signs which have been ordered. Inspector has indicated that the depth markers for the outdoor pool will need to be more visible next year. Currently a faded black this will be done prior to open in the spring of 2017.
- Romanesque was by today to discuss repair to the driveway. I will review the schedule with him and advise Community Manager for notices to Owners.

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 September 2, 2016 at 12:56am Security found residents from a unit on the 3rd floor in the outdoor pool and hot tub. They had been advised at 11:55pm that the pool area was closed and yet a guest accessed at 12:56am. A fine in the amount of \$200 has been implemented.
- On September 4, 2016 at 11:10pm Security warned two units on the 2nd floor regarding noise which the tenants dismissed and were rude to the guard. At 11:35pm occupants of both units leave carrying open bear cans through hallway and lobby area and return at 1:45am and were loud until 4am. A fine of \$200 has been levied to both units for noise and a fine of \$200 has been levied to both units for alcohol on common property.
- Council received an apology letter from the above noted unit on the 3rd floor where their guest had accessed the pool after hours. They will be paying the fine upon receipt of correspondence from Council.

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 susie.czinger@associa.ca.

(5) CORRESPONDENCE

- Correspondence was received from a resident of the 13th floor suggesting Council change the use of the visitor parking. Council will not consider a change at this time as the visitor parking is for guests of Owners.

Council would like to remind owners that parking in P1 and P2 areas is for residents of Sunset Waterfront. Council will take immediate action for violations of this as it is a security breach to the building to allow outsiders to rent parking stalls and have fobs for the building.

- Correspondence was received from a resident of the 10TH floor requesting follow up on the following items:
 - when is next town hall meeting – *noted further within these minutes*
 - Guest suite status. *Council has not received any update or information from committee.*
 - Winter Resident Orientation – *no volunteers came forward and Council members did not wish to participate.*
 - Security – *this is noted further within these minutes.*
 - Rental Managers Accountability – *this is individual owner responsibility not Strata Council. Council will be involved only on an as needed basis.*
 - Zero tolerance of Bylaw Contraventions & Process of Fine collections – *Council will continue to enforce bylaws as necessary.*
 - Process to remove abandoned bicycles from building. *This has been done by building manager and is continually monitored and bikes are tagged with unit numbers. Additional bike storage was implemented in 2015-2016.*
 - Storage lockers? I directed 4 owners to contact Associa on availability. *There are currently no lockers available and Associa is maintaining a waitlist.*
- Correspondence was received from a resident of the 10th floor requesting a member of Council to step down and allow another member that did not get voted in to step in. Owner was referencing a letter to Council from Matthew Fischer. *This item is noted under new business.*
- Correspondence was received from a resident of the 10th floor providing suggestions to Council for enforcement of Bylaws and Rules. Council would like to thank the owner for their suggestions which many of are under way.

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 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.

(6) FINANCIAL REPORT

6.1 FINANCIAL STATEMENTS

After a review of the statements for July 2016 and report from the President and Treasurer, it was moved and seconded to approve the financial statement for the periods ending July 31, 2016 as prepared. August Financials will be reviewed at the next council Meeting. **CARRIED**

6.2 RESERVE & GEOTHERMAL LOAN TRACKER (JULY 2016)

Contingency Reserve Funds Including GIC: \$678,481.19
Geothermal Reserve (in the bank) \$110,350.30
Geothermal Loan Outstanding \$2,109,967.44
Current portion of Loan Payable \$76,184.42
Equity in Geothermal \$497,156.23

6.3 ACCOUNTS RECEIVABLE REPORT

The Strata Manager reviewed the accounts receivable and advised that as of August 10, 2016 there was a balance owing of **\$11,520.70**. 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

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, 2016 AND IS DUE AND PAYABLE TO AVOID FURTHER PENALTIES.

(7) BUSINESS ARISING FROM PREVIOUS MINUTES

7.1 LETTER FROM PRIVACY COMMISSIONAIRE

The letter was provided to Silvano Todesco current legal Counsel for KAS2849 and he has drafted a bylaw amendment for Security Cameras to be presented to the Ownership for approval. Council has made some minor edits and directed the Community Manager to send to legal counsel.

7.2 CONVERSION OF GAMES ROOM TO GUEST SUITE

No information has been received from the committee to date.

(8) NEW BUSINESS

8.1 SPECIAL GENERAL MEETING & TOWN HALL MEETING

Council has tentatively chosen a date for a Special General Meeting for Security Bylaw amendment and Town hall meeting for future discussion items to take place on November 29, 2016. Further discussion deferred to next meeting for finalization.

8.2 WINTER RESIDENT ORIENTATION

Council had posted on the website and in Council minutes for volunteers to come forward for this event. As no Owners volunteered this item will be removed from future agenda and the meeting considered cancelled.

8.3 STRATA CORPORATION LEGAL COUNSEL – SILVANO TODESCO

Strata Council received a letter on August 10, 2016 from Silvano Todesco advising he will be leaving Doak Shirreff and relocating to the Lower Mainland to practice with Access Law Group practicing mainly in the area of Strata Law. An invitation was provided to transfer files and trust account balance to Silvano Todesco. It was moved and seconded to transfer files and continue working with Silvano Todesco. **CARRIED**

8.4 SECURITY QUOTES

Council reviewed quotes to change security companies. It was moved and seconded to cancel Securiguard contract and engage the Commissionaires. **CARRIED**

Upon finalization the ownership will be notified. In the meantime please continue to call Securiguard for security issues.

8.5 LETTER FROM FISCHER & COMPANY LAW CORPORATION

Strata Council received two letters from Matthew Fischer. One related to the Council voting at the AGM and having a current member step down and one related to information being requested about the geothermal negotiations by an owner on the 10th floor. It was then moved and seconded to have both letters sent to Strata legal counsel Silvano Todesco for review and response. **CARRIED**

(9) TERMINATION OF MEETING

There being no further business, the meeting was terminated at 6:15 p.m.

(10) NEXT MEETING DATE

The next council meeting will be October 5, 2016.

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 AUGUST 2, 2017