

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

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

**ASSOCIA  
SERVICE CENTRE**  
**1-604-591-6060**  
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**ASSOCIA B.C.**  
**13468 77TH AVENUE**  
**SURREY, B.C. V3W 6Y3**

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

**PRESENT:**

Brian Pedersen  
Mike Kuziw  
Marc Whittemore  
Cindy Weiss  
Wayne Salisbury

**REGRETS:**

Ralph Fege  
Leslie Fee

Susie Czinger, Associa British Columbia  
Dan Bregolis and Steve Stagg, Building Managers

**(1) CALL TO ORDER**

The meeting was called to order at 4:56 p.m. and a quorum was established.

**(2) ADOPTION OF THE AGENDA**

After one addition was made to the agenda, it was then moved/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 September 7, 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.
- The five 3<sup>rd</sup> level lights that were out have been rewired and adjustments are being made to the light sensor to try to coordinate with the other lights.
- The large geothermal pump needs to have the bearings redone. It was last done April 2014 and has become noisy again. There is new technology now that employs a ring of conductive micro fibers to discharge harmful currents. EMPS will be using this on the repair this time. The cost is anticipated to be the same \$3000.00.
- Engineer will be doing a final review of the hot water recirculating pump to ensure all is operating as it should.
- **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.**
- **The outdoor pool will close Tuesday October 11<sup>th</sup>.**
- Repairs were made to the driveway. All old polymeric sand was removed along section of driveway that was done in the spring and replaced it with a new commercial grade sand that was given over 72 hours to cure. The section

adjoining the sidewalk caused further issue and required a large section to be removed and another layer of sand compacted to act as a moisture barrier between the pavers and the ground. Council would like to thank all Residents for their cooperation during the driveway closures so repairs could be completed.

- Window cleaning was completed and two windows on the 20<sup>th</sup> floor were replaced. There are some woodpecker holes left that they will return to patch.
- A unit on the 12th floor was provided a unit modification form prior to the new owners taking possession and they proceeded to install carpet and countertops without submitting the form and receiving authorization. Community Manager was directed to request the modification form. It was moved/seconded to apply a \$100 renovation charge and \$100 Bylaw contravention fine for failure to submit paperwork.
- A unit on the first floor was provided with a unit modification form and commenced installation of a new flooring without submitting for approval. Community Manager was directed to request the modification form. It was moved/seconded to apply a \$100 renovation charge and \$100 Bylaw contravention fine for failure to submit paperwork.

### **STRATA CORPORATION BYLAW 9.1**

**An Owner must obtain written approval of the Strata Corporation before making an alternation to a strata lot or common property or common asset.**

**Unit modification form may be found on MyAssocia and must be submitted to [susie.czinger@associa.ca](mailto:susie.czinger@associa.ca) to ensure it is provided to Council for their approval.**

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

- On September 8, 2016 at 11:17pm security reported to a noise complaint on the 12<sup>th</sup> floor. Security found the occupants were doing a mild clean up as they were moving in but no excessive noise. The occupants advised they had heard noise from a balcony as well but did not know which unit. As nothing could be determined no contravention warning has been issued.
- On September 9, 2016 security was called to attend a unit on the 3<sup>rd</sup> floor due to loud music. A warning was issued and occupants and guests left the building without incident. On October 1<sup>st</sup> at 11:05pm security received a noise complaint against this same unit for loud music. A \$200 fine has been levied against the strata lot.
- On September 16, 2016 at 11:20pm security received a complaint regarding a unit on the 8<sup>th</sup> floor. It was reported there were approximately 20 people within the unit and when asked to quiet down the occupants and their guests became very chaotic as they were leaving the building with open alcohol kicking down the pylons in the driveway. A \$200 fine has been levied against the strata lot.
- On September 17, 2016 at 8:42pm a unit on the 6<sup>th</sup> floor complained of people drinking in the hot tub. Security reported that the same person has complained 3 times previously over people enjoying the hot tub before 11:00pm. Security will only address if there is proof of alcohol present. No action taken.
- On October 1, 2016 at 10:28pm security was called to attend a unit on the 16<sup>th</sup> floor due to loud music. A noise warning has been issued.

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

**(5) CORRESPONDENCE**

- An apology was received from the occupants of a unit on the 3<sup>rd</sup> floor that received a \$200 fine for noise. Council's decision remains that the fine will stand.
- Correspondence was received from the occupants of a unit on the 2<sup>nd</sup> floor that received a \$200 fine for noise. Council's decision remains that the fine will stand.
- Correspondence was received from a resident of the 6<sup>th</sup> floor that has filed several complaints regarding users of the pool/hot drinking. As noted above, security has attended the complaints and there has been no evidence of alcohol and security is not authorized to smell cups because an assumption of alcohol has been reported.
- Correspondence was received from the Owner of a unit on the 2<sup>nd</sup> floor that received \$200 fine for noise advising the occupants of their unit will be dealt with and that payment of the fine has been sent to Associa.
- Correspondence was received from the occupants of a unit on the 8<sup>th</sup> floor that caused noise, open alcohol in the building as well as disruption to the pylons while exiting the building. Council's decision as noted above under Bylaw and Rule contravention report is to implement a \$200. Fine.
- Correspondence was received from an Owner on the 10<sup>th</sup> floor regarding the choice of Security Company. Council reviewed several quotes and made their decision that Commissionaires will be brought on in the very near future.
- Correspondence was received from an Owner on the 10<sup>th</sup> floor acknowledge the positive change this fall with the overall living environment at Sunset. Council would like to thank the Owner for the positive feedback.
- Correspondence was received from an Owner on the 10<sup>th</sup> floor requesting the purchase of a Pilates Reformer Machine. Council will take this under advisement for the future.

**(6) FINANCIAL REPORT**

**6.1 FINANCIAL STATEMENTS**

After a review of the statements for August 2016 and report from the President and Treasurer, it was moved and seconded to approve the financial statement for the periods ending August 31, 2016 as prepared. **CARRIED**

**6.2 RESERVE & GEOTHERMAL LOAN TRACKER (JULY 2016)**

Contingency Reserve Funds Including GIC: \$696,779.26  
Geothermal Reserve (in the bank) \$111,112.31  
Geothermal Loan Outstanding \$2,109,967.44  
Current portion of Loan Payable \$69,420.36  
Equity in Geothermal \$396,587.97

**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 **\$8,731.12**. 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, 2016 AND IS DUE AND PAYABLE TO AVOID FURTHER PENALTIES.**

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

**7.1 LETTER FROM PRIVACY COMMISSIONAIRE**

A new bylaw has been written to be presented to the Ownership to remove the necessity of implementing the recommendations as noted in the letter from commissioner.

**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**

A Special General Meeting has been called for November 29, 2016 to put forward a security Bylaw amendment with a town hall meeting to follow. Notices will be mailed by Associa no later than November 9<sup>th</sup>.

**8.2 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 10<sup>th</sup> floor. Both letters are being handled by Silvano Todesco of Access Law on behalf of the Strata Corporation.

**(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 November 2, 2016.

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

**SPECIAL GENERAL MEETING SCHEDULED FOR NOVEMBER 29, 2016**

**NEXT ANNUAL GENERAL MEETING IS TENTATIVELY SCHEDULED FOR AUGUST 2, 2017**