

*Location:
Held via teleconference at 4pm*

**STRATA COUNCIL
2019-2020**

PRESIDENT

Brian Pedersen

VICE-PRESIDENT

Marc Whittlemore

TREASURER

Cindy Weiss

AT LARGE

Wayne Salisbury

Leslie Fee

Brian Atkins

Geoff Marsh

COMMUNITY MANAGER:

Rachel Parker

A Licensed Strata Manager

rachel.parker@associa.ca

BUILDING MANAGER:

Dan Bregolis

(250) 258 9251

**ASSOCIASERVICE
CENTRE**

250-860-5445

kelownaoffice@associa.ca

MAILING ADDRESS:

ASSOCIA B.C.

**215-1511 SUTHERLAND
AVE. KELOWNA BC**

REGISTER FOR TOWNSQ

<https://app.townsq.io/ais/signup>



PRESENT:

Brian Pedersen
Cindy Weiss
Wayne Salisbury
Brian Atkins
Geoff Marsh

REGRETS:

Marc Whittlemore

Rachel Parker, Associa British Columbia
Dan Bregolis, Sunset Building Manager

(1) CALL TO ORDER

The meeting was called to order at 4:04 p.m. by the Council President and a quorum was established.

(2) ADOPTION OF THE AGENDA

After a few additions to the Agenda, it was moved and seconded to approve the Agenda as amended. The Agenda was reviewed for any conflicts of interest amongst Council members. During discussion, each Council member who had a conflict of interest refrained from voting. **CARRIED**

(3) ADOPTION OF PREVIOUS MINUTES

As there were no errors or omissions noted, it was moved and seconded to adopt the Minutes for the Council Meeting held June 3, 2020 as previously distributed. **CARRIED**

(4) BUILDING MANAGER'S REPORT

4.1 THE BUILDING MANAGER REPORTED THE FOLLOWING:

- The June and July fire alarm, generator and fire pump tests were all performed.
- New door springs were installed on the lower parkade.
- A plumber was contacted a few times during July due to clogged main drains causing back up in the units. This time of the year heat pump condensation causes some drain lines to get clogged.
- Repairs were made to Elevator 2 as there were issues with the door opening and closing repeatedly.
- A quote was received from Kone for the Annual Maintenance plan along with upgrades to the elevators. The pricing for maintenance is subject to the Strata approving one of the elevator upgrades. This is an item on the AGM for Ownership approval and therefore it was discussed to review pricing and options after the Annual Meeting once the results are in.
- Currently waiting on a part for repairs to the pool. The pools are currently being heated through the boiler.

Due to bike theft issues, the Strata Council is allowing Owners to store bikes in their unit. Please note, this is only temporary until the Annual General Meeting of 2020. No bikes are to be stored on the balconies.

IMPORTANT INFORMATION - WATER SHUT OFF FOR PLUMBING UPGRADES

The Strata Council has chosen 3 dates to shut off the main water at the building for owners who wish to upgrade the water shut off valves in their suite. The water will be shut off on the following dates all day.

TUESDAY, SEPTEMBER 15, 2020
TUESDAY OCTOBER 13, 2020
TUESDAY, NOVEMBER 17, 2020

Each owner is encouraged to review the shut off valves in their unit. If they do not work, it is highly recommended a plumber attends to install new valves. The Strata's preferred plumber is Lillie Plumbing and they can be reached at 250-300- 6060. Additionally, owners are encouraged to purchase water sensors and have them installed. Here is a link with further information. <https://www.moen.ca/flo>

The cost for any upgrades will be the homeowner's responsibility. If you are interested, please contact the Building Manager Dan at 250-258-9251 to confirm your date and unit number. **Please ensure Dan is notified a minimum of one week in advance to your chosen date.** Please be reminded, the water deductible has increased to \$250,000.00 effective June 30th. Should a water incident occur in a unit and affect other units, the owner could be held responsible for the damage incurred. It is crucial that each Owner reviews their unit and does their part to mitigate risk.

Owners are reminded to be proactive and check the caulking around sinks, toilets and showers in your Strata Lot. Additional caulking will reduce the possibility of water leakage and damage to a Strata Lot.



To the left is a picture and example of a water shut off valve that can be installed making it easily accessible. Many Owners have concerns that the water shut offs to their unit are either:

- a) not easily accessible as they are up in the ceiling or;
- b) extremely difficult and stiff to turn off.

Council encourages Owners to connect with a plumber and review options and be proactive in preventing water issues. It may also be a good reminder to label the valves, so they are easily identified by tenants, visitors etc.

Attached to the bottom of these minutes is additional information on types of water shut off systems.

Special Note – Fire Safety

The building Manager attended the forum presented by the Fire Department and it was advised that all units with any type of gas appliance are required to have a carbon monoxide detector. Owners are encouraged to purchase one and they can be found at Home Depot and Rona. Battery operated ones are fine, and no wiring required.

Owners who rent their units or owners using property managers need to advise their property managers to make sure their short-term rental guests are fully aware of the alcohol, smoking, pet restriction, nuisance and quiet time bylaws. Rules and bylaws should be posted in the units.

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 Associa Homeowner Access and please email rachel.parker@associa.ca to be provided to Council for their approval.

(5) CORRESPONDENCE

Strata lot 13 received a noise violation letter from security. The Owner responded to the violation and Council confirmed the violation letter was deemed a warning and no fine was issued.

Strata lot 22 submitted correspondence with concerns surrounding Covid-19, questions about the recent flood and amounts taken from the CRF. The Community Manager responded on behalf of Council advising that the Council is taking the necessary steps which have been reviewed and approved by Interior Health. The amount that has been withdrawn from the CRF is the \$100,000 deductible and the Strata is waiting for the final invoice in the amount of \$59,109.77. All amounts have been tentatively taken from the CRF as a temporary loan until the owner decide at the upcoming AGM.

Strata lot 49 submitted an alteration request for flooring. The Strata Council approved the request with a \$200 renovation fee. The Community Manager was directed to inform the Owner.

Strata Lot 44 submitted concerns with Covid-19 and the use of the pool along with a unit modification request. The Community Manager responded on behalf of the Council advising that the Council is taking the necessary steps which have been reviewed and approved by Interior Health. The Community Manager also advised the unit modification request to replace the kitchen countertops, sink and faucet was approved with a \$200 renovation fee.

Strata lot 70 submitted a unit modification request to upgrade the flooring. The alteration was approved with a \$200 renovation fee and the Community Manager was directed to inform the Owner.

Strata lot 78 submitted correspondence with concerns of the Covid-19, a request to re-propose a resolution for the guest suite and questions about security. The Community Manager responded on behalf of the Strata Council advising the Strata has taken the necessary steps which have been reviewed and approved by Interior Health, the Agenda for the AGM was already distributed to the ownership and the guest suite resolution was not included this year as it was defeated last year. Should the next Council wish to re-propose the resolution, they are welcome to do so. The Community Manager also confirmed the security has switched to Missing Link who patrols on weekends year-round excluding the month of January and February as these are quiet months,

Strata lot 77 submitted concerns surrounding Covid-19. The Community Manager responded on behalf of the Strata Council advising the Strata has taken the necessary steps during this pandemic which have been reviewed and approved by Interior Health.

Strata lot 74 submitted a complaint of noise; however, could not identify the unit. The Community Manager responded on behalf of the Strata Council advising that, should owners have noise complaints to please contact security to verify as the third party.

Strata lot 85 submitted concerns with how the Strata is dealing with Biohazards along with a request to modify the Form K with procedures to follow during the pandemic. The Community Manager responded on behalf of the Strata Council advising a process is in place to address biohazards which is, if the Building Manager is uncomfortable with a cleanup, or something happens afterhours, Onside Restoration is contacted to address the issue. The Strata Council has also denied the request to modify the Form K and confirmed each owner and landlord is responsible for their tenants and to ensure they are in compliance with the government and health authority guidelines and orders.

Strata lot 79 received a noise violation with a \$200 fine due to an incident which occurred June 21st. The Community Manager was directed to send a letter.

Strata lot 91 received a letter with a request for a Form K as the unit was being rented out. The Community Manager was directed to apply the \$300 Annual Rental fee to this unit as provided in the Strata Bylaws. A form K has been submitted and the rental fee has been paid.

Strata lot 111 submitted an alteration request for flooring upgrades. The alteration was approved with a \$200 renovation fee and the Community Manager was directed to send formal approval to the Owner.

Strata lot 114 submitted concerns surrounding Covid-19 and the upcoming AGM. The Community Manager responded on behalf of the Council advising the Strata Council has taken the necessary steps during the pandemic and this has been reviewed and approved by Interior Health. Council then confirmed they have provided a townhall prior to the AGM for owners to ask questions in order to be educated to submit their restricted proxy form. Additionally, the Council has provided a live meeting with 50 attendees.

A bylaw violation and two fines were issued to Strata lot 128 for causing unreasonable noise and a nuisance on June 26th and June 27th. The owner responded to the complaint requesting the fines are reversed. The Community Manager responded on behalf of the Council advising that one of the fines would be reversed and the other is due and payable.

A bylaw violation and \$200 fine was issued to Strata lot 23 for an incident which occurred on July 12th causing a nuisance to the building.

Strata lot 100 submitted information and suggestions for how to address the concern of freezing pipes in the townhomes. The Community Manager responded on behalf of the Strata Council and thanked the owner for their suggestions and advised a vote would be taken at the upcoming Annual meeting.

On June 13th at 11:38pm security received a complaint regarding Strata lot 99 playing loud music. Security attended the unit and spoke with the residents who complied. Warning issued.

On June 20th at 10:15pm, security was contacted regarding noise coming from Strata lot 124. The guard attended and spoke to the residents who complied. Warning issued.

On July 3rd at 11:20pm. security attended Strata lot 13 in response to a noise complaint. The guard spoke with the tenants who complied. Warning issued.

On July 3rd at 1:00am security spoke with the occupants of Strata lot 31 regarding excessive noise on the balcony. Warning issued.

On July 7th at 1:30am security responded to a noise complaint caused by Strata lot 9. The guard attended and spoke with the occupants. On July 8th at 6pm security was contacted regarding smoking from the occupants of Strata lot 9. Security attended and warned the occupants that Sunset is a non-smoking building. On July 9th at 5:39pm security attended in response to a third complaint regarding the smell of marijuana. Due to these incidents, a \$200 fine was issued for noise and a \$200 fine was issued for smoking.

On July 10th at 9:10pm security attended Strata lot 29 in response to a noise complaint. The guard spoke with the occupants who complied. Warning issued.

On July 14th at 11:52 security received a noise complaint caused by Strata lot 91. The guard attended and spoke to the occupants who complied. Warning issued.

On July 20th at 12:17am security received a complaint against Strata lot 56 for loud noise in the hallway. The guard spoke with the occupants who complied. Warning letter issued.

On July 22nd at 8pm security received a complaint against Strata lot 30 for barking dogs causing a nuisance. The guard spoke with the occupants who complied. Warning issued.

On July 22nd at 9:47pm a complaint was received regarding barking dogs at Strata lot 110. The owner was contacted and apologized for the disturbance. Warning issued.

On July 25th at 11am security spoke with the occupants of Strata lot 29 who were causing excessive noise. On July 26th at 1:00am the occupants were heard again causing excessive noise. The guard attended and spoke with the residents. On July 26th at 3:00am the occupants were observed drinking in the lobby and causing excessive noise. The guard spoke with the occupants. A \$200 fine was issued for noise and a \$200 fine was issued for nuisance.

On July 29th at 11:05pm security received a complaint against Strata lot 124. The guard spoke with the occupants who complied. Warning issued.

On August 1st at 12:00am security spoke with the residents of Strata lot 50 who were causing excessive noise in the courtyard. At 1:00am the guard received a second complaint and spoke with the residents advising to keep noise levels down. A \$200 fine was issued for noise.

On August 1st at 1:00am, security attended Strata lot 60 who were causing noise from their unit. The guard spoke with the residents who complied. On August 2nd at 1:48am security reported noise coming from the unit again. The guard attended and spoke to the occupants. A \$200 fine was issued for noise.

The Strata Corporation is unable to act without proper written complaints. Verbal and/or anonymous complaints will not be acted on. Council will address all correspondence received at the next Council Meeting. The Strata Manager will respond at the direction of the Strata Council, either in the minutes or by correspondence. Please send all letters to the Associa office (if possible, by e-mail to the Strata Manager at rachel.parker@associa.ca

RESIDENTS ARE REMINDED THAT CALL OUTS FOR SECURITY IS AN ADDITIONAL COST TO THE STRATA CORPORATION.

WHEN CONTACTING SECURITY PLEASE PROVIDE YOUR TELEPHONE NUMBER, NAME AND UNIT NUMBER OR THE COMPLAINT MAY NOT BE RESPONDED TO.

IF SECURITY IS CALLED AND NO NOISE IS FOUND THE COMPLAINANT RISKS BEING CHARGED THE CALL OUT FEE.

**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 send Form K's to kelownaoffice@associa.ca

(6) FINANCIAL REPORT

6.1 FINANCIAL STATEMENTS

At this time, there were no financials to review and approve as July financials were not ready. They will be reviewed at the next Council meeting. As a new fiscal year has started, the cash flow is low in the operating budget. It was therefore moved and seconded to borrow \$40,000 from the Contingency Reserve Fund as a temporary loan in order to cover the invoices. This amount will be paid back to the Contingency Reserve Fund as soon as funds permit. **CARRIED**

6.2 RESERVE & GEOTHERMAL LOAN TRACKER (JUNE 2020)

Contingency Reserve Fund General Including GIC: \$947,795.38

Geothermal Reserve (in the bank) \$134,605.60

Geothermal Loan Outstanding \$1,837,972.63

Equity in Geothermal \$441,085.87

6.3 ACCOUNTS RECEIVABLE REPORT

The Community Manager reviewed the accounts receivable and advised that as of June 3rd there was a balance owing of **\$7,065.25**.

PLEASE NOTE THE STRATA CORPORATION BYLAW OF \$300 ANNUAL RENTAL USER FEE IS DUE AND PAYABLE AS OF JANUARY 1ST. PLEASE MAKE YOUR PAYMENT ONLINE OR VIA CHEQUE MADE PAYABLE TO KAS2849 – SUNSET WATERFRONT RESORT.

Reminder notices are issued monthly which also costs the Strata Corporation to issue.

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 fines applied to their account as well as sent to legal for further collection action. 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 Community Manager has been directed to send files to the Strata Lawyer when they are 60 days in arrears. If Associa is directed to write a demand letter there will be a \$50.00 plus taxes charge applied to the Strata Lot.

New Collection Fee effective April 1, 2019.

Effective April 1, 2019 if an account is over due by 30 days for Strata Fees and/or Levies a process for collection fee of \$10.00 per month will be applied to your Strata Lot. This fee will not be paid by the Strata Corporation but you as the Owner in accordance with the amendment to the Agency Agreement.

(7) BUSINESS ARISING

7.1 WATER LOSS (3 UNITS)

The repairs from the water loss at Unit 312, 212 and 112 have been completed by Onside and the final invoice in the amount of \$59,109.77 has been received and temporarily paid from the Contingency Reserve Fund. At the upcoming Annual Meeting, the owners will decide whether the invoices from the water damage will be permanently paid by a levy, through the Contingency Reserve Fund or put through Insurance.

(8) NEW BUSINESS

8.1 ANNUAL GENERAL MEETING – PETITION FOR ELECTRONIC MEETING

The Annual General Meeting has been scheduled for Monday August 17th. This will be a live meeting with up to 50 occupants who must pre-register with Associa. Owners who are not comfortable attending can submit their restricted proxy. On July 31st Associa and Strata Council received a petition from 20% of the Owners requesting the meeting be held electronically. Please note, the Strata Council has taken the steps to ensure all owners were provided with an opportunity to ask questions and receive answers for the upcoming AGM by way of a townhall webinar. Unfortunately, an online AGM becomes difficult to facilitate. A verbal opinion from the Strata Corporations' legal counsel was obtained and confirms that by holding the townhall webinar due to the pandemic, is deemed appropriate. Also note, a petition is typically done for owners to call a special general meeting for a specific resolution under section 43 of the Act. The petition proposed does not call for a resolution but rather that the meeting is conducted electronically. Under the Strata regulations, there is nothing that speaks to this type of demand for an electronic meeting.

8.2 REQUEST TO SELL LOBBY FURNITURE

The lobby decorating committee has sent a proposal to the Strata Council to sell the lobby furniture in order to use the money towards the lobby improvements. The Strata Council advised that the Owners determine the outcome of the upgrades at the Annual Meeting. If approved, the committee can then review next steps with the Strata Council.

8.3 COVID-19 – NEW ORDER FOR SHORT TERM RENTALS

On July 27th Dr. Bonnie Henry announced a new order limiting how many people can be inside a vacation rental to the occupants of the property plus five visitors. Please note, it is each owner and landlord's responsibility to ensure this order is being followed to protect the Strata Corporation and each individual.

8.4 BUILDING STAFF – PAY RAISE

One of the Building Manager's requested a wage increase. The Strata Council advised this item would be deferred and reviewed by the newly elected Strata Council for 2020-2021.

8.5 PLUMBING UPGRADES/WATER SHUT OFF.

As noted on page 2 of these minutes, the water will be shut off on September 15th, October 13th and November 17th to provide owners with an opportunity to upgrade their water shut off valves in their unit. A notice has also been emailed and posted on Townsq with further details. With the Strata's water deductible increasing to \$250,000.00 each owner is strongly encouraged to take preventative measures to reduce the risk of water damage.

8.6 INSURANCE RENEWAL 2020-2021

The Strata Corporation has received the Insurance Renewal which is in effect June 30th. A notice and a copy of the summary was emailed to the Owners and posted on Townsq. Each Owner is encouraged to review the summary and make changes to their personal insurer. To date, the Strata is unaware of

any personal insurers who provide coverage up to the \$250,000. Should any owner have further information or know of a company who offers coverage, please email rachel.parker@associa.ca The Strata Council suggests the following companies:

Wawanesa – coverage up to \$100,000

Co-Operators – coverage up to \$100,000

Chutters Underwriting – coverage up to \$200,000

(9) TERMINATION

There being no further business, the meeting was terminated at 5:46pm.

The next meeting is the Annual General Meeting which is scheduled for Monday, August 17th at 6:00pm.

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

COMPARISON OF WATER ACCUMULATION SENSORS AND AUTOMATIC WATER SHUTOFF VALVES

SUMMARY:

Water Sensors

- Positive detection of actual presence of water
- Audible alarm but no water system shutoff in most models
- No detection of hidden water accumulation or leaks where no sensors present
- No record of leak detection or action taken
- Inexpensive and no requirement for plumber in most models

Automatic Shutoff Valves

- Detects possible leaks by changes in water pressure in unit, not water accumulation
- Can detect hidden leaks, small persistent leaks or major leaks
- Communicates with owner by cellphone, warning of potential leak
- Shuts off water supply if directed by owner or if no response from owner to warning
- Maintains log of water usage (pressure variation) including leak warnings and action taken
- Requires “training” of typical water usage in unit
- Expensive; requires plumber to install; may also require pressure regulating valve to be installed

Features of Systems

There are two types of water leak detectors: The first and simplest uses water sensors installed at locations where water leaks are likely to occur (floors of bathrooms around toilets, sinks; floors under kitchen sinks, dishwashers; laundry rooms near washing machines). When water accumulation occurs these sensors transmit a signal either to a central alarm or by cellphone alert to the owner. Obviously, the occupant or someone else has to be in the unit to hear the alarm or receive the cellphone warning and take action to stop the leak or turn off the water supply to the unit. There are many versions of this valve on the market today, ranging in price from around \$40 to as high as \$200. These systems do not require installation in the water supply pipes, so do not need a plumber to install. The main limitations of these systems are that someone has to be present to take action when the leak warning is made, and that water leaks at locations without sensors (e.g., inside walls and ceilings) will not be detected.

There are some water sensor systems (Flo/Moen; Sinope-Sedna, Nowa) that can turn off the water supply by itself. These systems require the installation of their shutoff valves in the water supply pipe, and therefore a plumber to install. The Sinope-Sedna and Nowa provide their own shutoff valves, but the Flo by Moen Smart Shutoff valve is needed for the Flo water sensor system. The Flo by Moen Smart Shutoff system by itself is the second type of system operating on the basis of water pressure, and is further described next.

The second type of leak detectors has an automatic shutoff capability which is activated when the system detects an unusual or sustained drop in water pressure in the unit. This type does not require anyone in the unit to turn off the water supply; it is in fact a second water shutoff valve (additional to the manual valve if installed in the unit) which is activated by the pressure

sensor. This type does not require or use water sensors at different locations. However, because it is an automatic system, it requires some “training” of typical water usage (and related magnitudes and durations of pressure drops) in the unit. It has a further safeguard feature in that it alerts the unit owner by cellphone connection that it has detected a possible water leak and so gives the owner a chance to decide if the “leak” is a normal but temporary action (e.g., washing the car) and prevent the automatic shutdown. However, if the owner orders a shutdown or does not respond to the call, the system then shuts off the water supply.

These automatic valves (there are two – see below for links to websites) do require a learning period where they “memorize” a general pattern of water usage in the unit. During this period there may be numerous alerts via the cellphone contact asking if a particular pressure drop is typical. After this learning period, these systems are pretty accurate in recognizing normal usage, even to specific appliances or water outlets. At this point, they are capable of detecting even small leaks, such as from a hose connection or pin hole in a pipe or hose. However, if there is a significant change in water usage in the unit, they will suspect a leak and contact the owner, as described above. This could be a problem for rental units, where different usage patterns arise because of number and habits of successive guests (e.g., number of showers per day).

There is another feature of these two automatic systems that is very important in this time of extreme insurance premiums and deductibles for water damage. Both systems maintain a log of water usage and suspected leaks, with actions taken, on a daily basis over a storage period. These logs are available on your cellphone. In the event of a water leak in the building, each unit having these systems installed would have a written record of their unit’s water system which would be available to disprove any suggestion that the leak occurred in their unit. Given that an owner of the unit where the leak occurred could be liable for the deductible in the Strata’s insurance – currently \$250,000 – this is a significant protection. In addition, if a leak did occur and was shut off by the automatic system before a large amount of water was released, again it would demonstrate action taken to minimize damage.

These automatic valves could be installed in the entire building, or failing that, by individual owners. A review of the building’s water supply systems (both hot and cold) would be necessary to ensure that the system in any specific unit was pressure-isolated from the main building, using a pressure regulating valve where necessary. These systems must be installed by a licensed plumber, acceptable to the Strata, on both the hot and cold water supply lines entering each unit.

The cost of these automatic valves ranges from about \$400 to \$900, depending on the supplier. Installation costs could be as high as \$200, also depending on the plumber. If a pressure relief valve is also needed, this would cost in a range up to about \$100. These costs would be doubled for each unit because a valve is required on both the hot water and cold water supply. These costs are estimates only, and actual costs must be determined by checking the marketplace. Nonetheless, these costs pale in comparison to the possible deductible charge of \$150,000 to \$250,000.

The following websites are for the manufacturers of these automatic valves. Other websites can easily be found describing user experience and professional opinions.

<https://www.moen.ca/flo-shutoff>

<https://www.pcmag.com/reviews/flo-by-moen-smart-water-shutoff>

<https://www.phyn.com/technology/review.html>

<https://www.techhive.com/article/3397102/phyn-plus-review.html>

<https://www.techhive.com/article/3387936/sinope-sedna-water-leak-protection-kit-review.html>