

*Location:
Held via teleconference at 4pm*

**STRATA COUNCIL
2020-2021**

PRESIDENT

Brian Pedersen

VICE-PRESIDENT

Brian Atkins

TREASURER

Cindy Weiss

AT LARGE

Wayne Salisbury

Marc Whitemore

Shauna Rowell

Mike Rowell

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/sign-up>



PRESENT:

Brian Pedersen
Brian Atkins
Cindy Weiss
Wayne Salisbury
Mike Rowell
Shauna Rowell

REGRETS:

Marc Whitemore

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

(1) CALL TO ORDER

The meeting was called to order at 4:02 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 September 2, 2020 as previously distributed. **CARRIED**

(4) BUILDING MANAGER'S REPORT

4.1 THE BUILDING MANAGER REPORTED THE FOLLOWING:

- The geothermal shut off valve repair that was scheduled for October 15th was cancelled last minute due to staffing issues. It will be rescheduled in the coming weeks at the same time of the 3rd floor glycerin system. This will save the Strata labour costs.
- The outdoor pool area has been winterized and the irrigation has been blown out.
- Monthly fire alarm test, generator and fire pump test all completed.
- The Annual roof anchor inspection was completed along with the Fall window cleaning.
- A window at SL113 was replaced due to failed seal.
- A leak occurred by the corridor of SL13. It was due to a large melt runoff on the 3rd level. A three-foot section of the drain pipe that directs water away had fallen off. Repairs were conducted, and no further issues reported.
- The concrete slab above SL4 was recoated by GRM to prevent any leakage.
- There has been an increase of items left in the garbage room including furniture, electronics and barbeques. Please be reminded, these items are to be disposed of at the dump or a recycling depot.

- Should improper dumping continue, the Strata will incur fines from the waste removal company.
- Bird hole repairs are scheduled for the coming weeks along with a few window replacements.

REMINDER

IMPORTANT INFORMATION - WATER SHUT OFF FOR PLUMBING UPGRADES

The final date for owners wishing to upgrade their water shut off valves in their suite is:

TUESDAY, NOVEMBER 17, 2020

The water will be shut off in the entire building starting at 9am until approximately 12pm.

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 install braided hoses along with 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.

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

5.1 On October 11th a complaint was received regarding a table saw being used on a Sunday at SL16. The Building Manager spoke to the worker who apologized and stopped the work immediately. No further issues.

5.2 SL114 reported an issue with Associa receiving their emails. The Community Manager contacted Associa's IT department who confirmed no issues on Associa's end and recommended the owner review with their personal provider. Additionally, the homeowner requested documentation from the 2019 flood including the building manager report, fire department report and the insurance adjustor report. Council confirmed the first two reports don't exist and a copy of the insurance adjustor report will be forwarded as requested.

5.3 SL13 submitted a unit modification request which was reviewed and approved by Council. The Community Manager was directed to send formal approval with a \$200 renovation fee.

5.4 SL26 submitted correspondence thanking Council for their hard work and advising they disagree with the letters and approach the "Advocacy Group" had taken. "Given the circumstances, we are quite happy with the AGM format and the way the current Council is going about business" The Council thanks the owner for the support.

5.5 SL19 submitted a unit modification request to upgrade their unit along with a request to relocate the fireplace. The alteration request was approved, and the Community Manager was directed to send formal approval with a \$500 renovation fee.

5.6 SL30 submitted a unit modification request which was reviewed and approved by Council. The Community Manager was directed to send formal approval with a \$200 renovation fee.

5.7 SL60 submitted concerns regarding the delay in receiving a violation letter. The Council apologizes for the delay and confirms it was due to the AGM being held in October in place of the regular council meeting. Council reviews security reports at monthly meetings. The Building Manager usually tries to inform the owner or property manager of any violations as soon as possible; however, in this case a Form K was not on file.

5.8 SL79 submitted concerns with the delay in receiving a violation letter. Again, the Council apologizes and confirms there was a delay due to the AGM being held in October. Council reviews security reports at their monthly meetings and the Building Manager tries to notify owners when there are issues with tenants.

5.9 SL88 submitted multiple aggressive and inappropriate emails against the Council and Strata Manager. The emails contained defamatory context and therefore Citadel Law was obtained to send a cease and desist letter to the owner. The Council is willing to work with any owner who is respectful; however, will not tolerate any abusive emails or phone calls.

5.10 SL124 submitted a response to the noise violation received. The Council thanks the owner for the response and their side of the story.

5.11 SL85 submitted correspondence regarding the Strata Rules and requesting to correct the following: Add to the rules "no alcohol permitted in pool area" the Council confirmed a Bylaw is already in place which takes precedent over Rules. The owner also suggested correcting the rules for construction hours. The Council will adjust the Rules to state no construction on Saturday's after 4pm and no construction on Sundays; however, Friday construction will still be allowed until 6pm. The Owner then suggested a note is posted on the bulletin board for each owner undertaking renovations. The Council thanks the owner for the suggestion but will not be pursuing the request as it becomes too difficult to administer.

5.12 SL78 submitted a complaint about a boat in a parking stall. Council confirmed the issue has been dealt with. The Owner then asked whether Council feels the AGM was valid. The Council is of the opinion that they worked in the best interest of all owners during a global pandemic. The Owner inquired on whether the Council obtained legal advice to subrogate against the original installer of the sprinkler piping which was the source of the 2019 leak. The Council confirmed they did not pursue legal counsel as the warranty had passed and there was no guarantee the Strata would win the case. The Council also did not wish to incur additional legal costs. The Owner then asked if a forensic review was conducted for the 2020 flood. Council confirmed the area of the flood was unrelated to the 2019 flood and therefore not identified until the incident occurred. The Strata has now obtained ownership approval to install the new glycerol system for 3rd floor townhomes which is a risk management approach to address future concerns of bursting pipes. The Owner asked who the insurance expert and risk assessment office were who attended after the flood and what the council is doing to lower insurance premiums for the future. CEP Forensic was obtained though ClaimsPro who works with BFL, to review the incident. As noted above, the Council has obtained ownership approval to install the glycerol system which BFL understands is a risk management approach and will pass along to the underwriters. . Unfortunately, premiums and deductibles are increasing for many Strata's regardless of the number of claims on file. This information has been broadcasted on the news confirming many Strata buildings are in similar situations and dealing with significant increases.

5.13 SL5 submitted a response apologizing for a violation letter received. The Council thanks the owner for the response.

5.14 SL99 submitted a unit modification form which was reviewed and approved by Council. The Community Manager was directed to send formal approval with a \$300 renovation fee.

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

After a review of the financial statements and a report from the Council President, it was moved and seconded to approve the financial statements for the period ending September 30, 2020 as prepared by Associa. **CARRIED**

6.2 RESERVE & GEOTHERMAL LOAN TRACKER (SEPTEMBER 2020)

Contingency Reserve Fund General Including GIC: \$819,557.53

Geothermal Reserve (in the bank) \$135,359.65

Geothermal Loan Outstanding \$76,833.32

Equity in Geothermal \$374,473.90

6.3 ACCOUNTS RECEIVABLE REPORT

The Community Manager reviewed the accounts receivable and advised that as of September 2, 2020 there was a balance owing of **\$32,052.47**.

Owners who are set up on pre-authorized payment will note an extra amount has been deducted. This amount is the retroactive "makeup" amount from the approved 2020-2021 fee increase. The budget is retroactive to July 1st. Owners who pay online will need to manually adjust their monthly payments and make an additional payment for the extra amount. Please contact kelownaoffice@associa.ca if you require assistance.

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.

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.

(7) BUSINESS ARISING

7.1 GLYCOL SYSTEM

The resolution to install the glycol system for third level townhomes was approved at the October Annual Meeting. The Strata is waiting for a part which is currently on order. Once received, Bradley Fire and Rambow Mechanical will commence work. A notice will be provided to the ownership once a date is secured as the heat pumps will be shut off for the day.

7.2 ELEVATOR CONTRACT

Two representatives from Thyssen Krupp joined the start of the meeting to discuss the current elevator contract with Council. The Council has explored alternative companies to review pricing and are in the process of comparing. Thyssen Krupp will be providing a revised quote which will be reviewed and discussed further at the December meeting. The current contract is in place with Thyssen Krupp until July 1, 2021.

(8) NEW BUSINESS

8.1 COUNCIL POSITIONS

Council reviewed and agreed to the following positions for 2020-2021

Brian Pedersen – Council President

Brian Atkins – Vice President

Cindy Weiss – Treasurer

Wayne Salisbury, Marc Whittemore, Shauna Rowell, Mike Rowell – Members at Large

8.2 REVIEW OF BUILDING MAINTENANCE PERFORMANCE

Council had a general discussion surrounding the new employee, Tom O'Neill's performance. The Council is pleased with Tom's efforts and knowledge and have agreed to an increase after 90 days of employment.

8.3 ELLIS WET FACILITY

Council Member Brian Atkins provided an update on the new development on Ellis. The building will act as a housing shelter for those living on the street and is expected to open December – January. Some Owners have been concerned about the safety around Sunset; the Council confirms that security is in place should there be issues with loitering.

(9) TERMINATION

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

The next meeting is scheduled for Wednesday, December 2, 2020 at 4:00pm.

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