

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

**STRATA COUNCIL
2013 / 2014**

PRESIDENT

Brian Pedersen

VICE-PRESIDENT

Hazel Christy

SECRETARY/TREASURER

Alex McClelland

AT LARGE

*Cindy Weiss
Brenda Dwyer
Ron Moser
Marc Whittemore*

STRATA MANAGER:

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STRATA WEBSITE

www.kas2849.mybaywest

PRESENT:

Brian Pedersen
Alex McClelland
Cindy Weiss
Ron Moser

REGRETS:

Marc Whittemore
Hazel Christy
Brenda Dwyer

Susie Czinger, Baywest Management Corporation
Dan Bregolis, Building Manager

(1) CALL TO ORDER

The meeting was called to order at 4:00 p.m. and a quorum was established.

GUEST BUSINESS – FORTIS

Siraz Dalmir, Grant Berlmeier and Jane Chan arrived at 4:15pm to further discuss the District Energy System, present their cost comparison information and again discuss informal offer to purchase the geothermal system. As not all Council members were present any further discussions were deferred until after the Annual General Meeting.

(2) ADOPTION OF THE AGENDA

As there were no additions made to the agenda, it was then moved and seconded to adopt the agenda as presented.

CARRIED

(3) ADOPTION OF PREVIOUS MINUTES

It was moved and seconded to adopt the Minutes of the Council Meeting of May 7, 2014 as distributed. The motion was

CARRIED

(4) BUILDING MANAGER'S REPORT

4.1 AMONG OTHER THINGS THE BUILDING MANAGER REPORTED:

- No issues with the monthly fire test and drills will continue periodically.
- There are floors from 8 - 15 which have been experiencing a lack of hot water that has been an ongoing issue. Rocky Point Engineering attended a few weeks ago and is investigating the specifications and of the system. The Strata Manager was requested to follow up.

- The elevator was stuck 3 times this month. Issues were the 18th floor call button was being pressed too hard, there was dirt in the tracks and the third issue was a belt that was responsible for opening elevator 1 door was worn and has been replaced. Thyssen advised that this was more than likely the cause of the previous shut down last month. The elevators are serviced monthly but use and wear and tear can cause the occasional shut down.
- Replacement of plants and trees to beautify the 3rd level is in progress.
- A test area for level 1 townhome hallway re-paint was conducted for council review. Completion will occur when time allow.
- Carpets have been cleaned in the townhome hallways, gym and social room.
- Parkade has been cleaned except for 3 stalls.
- Currently awaiting the quote for tennis court cleaning.
- Front townhome planters will be beautified shortly.

4.2 BYLAW AND RULE CONTRAVENTION REPORT

- On May 21 a broken bottle was found on the courtyard walkway in the morning. Review of the cameras from the night before showed 4 people with beer bottles by hot tub around 10:30pm. The offenders were from a neighbouring strata and not Sunset.
- On May 29th security was called in response to people being too loud in the pool Security arrived at 10:45pm and found 4 people in the hot tub that were loud upon arrival. They apologized and left shortly after. Unfortunately the guard did not identify which unit they were from and no formal written warning could be issued. The building manager was instructed to ensure the guards obtain unit numbers in future.
- A complaint was made to the building manager regarding dog feces by the vending machine. After review the video it appeared to be a dog from a specific unit and notice was issued which has not been responded to.

RESIDENTS ARE REMINDED THAT WHEN CONTACTING SECURITY YOUR NAME AND UNIT NUMBER MUST E PROVIDED OR THE COMPLAINT MAY NOT BE RESPONDE TO.

SHOULD SECURITY BE CALLED AND 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.

(5) CORRESPONDENCE

Correspondence was received from an Owner to remove/repeal the rental premium bylaw. Unfortunately the removal, additional or change of a bylaw cannot be done at the Council level it must be brought forward at a General Meeting and presented as a ¾ vote resolution. The bylaw in question will be brought forward as an amendment at the Annual General Meeting on July 30, 2014.

Correspondence was received from an Owner regarding discussion points to be added to AGM minutes and stating a motion to impose an age restriction of 25 at Sunset Waterfront Resort. The Strata Council reviewed and discussion items are not required to be noted in the minutes and as no other discussion points of owners were noted would not make an allowance for the addition of discussion item. The Owner is requesting a bylaw amendment to present to the Owners to implement age restriction bylaw of 25. The Strata Council had advised all Owners present at the Annual General Meeting last year that an age restriction of 25 is not a legal bylaw and any age restrictive bylaws would require a legal opinion. No further action will be taken by the Strata Council.

Correspondence was received from Owners who asked to “please forward our appreciation to Dan for the multitude of duties he has for Sunset. He deserves the recognition. It’s enlightening to see all that he performs for the building. Well done!” The Strata Council would like to thank these Owners for recognizing Dan and he has been provided with the correspondence.

Correspondence was received from an Owner requesting the following;

1. Inventory list of lockers owned by the Strata Corporation. **Answer: there are 12 storage lockers that are rented throughout each year and revenue anticipated for 2014 is \$6,445.00. The rental rates vary due to size and have not been rented for 12 consecutive months at all times. No agreements are signed and Baywest applies the monthly charge to the appropriate strata lot.**
2. As Common Property to KAS2849 have any been sold since inception? If so what were the terms of each Sale. **Answer: No the Strata Corporation cannot sell common property without ownership approval.**
3. Are there any short or long term rental agreements in place? If so what is our monthly rental income on each unit and is the rental fee consistent and fair with other local storage facilities. **Answer: As noted in #1 above no agreements these are rented only to owners and not public storage facility and rate comparison would not apply. The rate was set by the Strata Council at the time.**

Correspondence was received from an Owner requesting approval to tile their deck. The request was approved with conditions and the Strata Manager was directed to provide the written approval to the Owner.

RULE REMINDER

All correspondence for Council to review must be received by Baywest 5 business days prior to a Council Meeting or it will be tabled to the next meeting.

It is difficult for Council to address concerns without the appropriate unit number, date and time. All correspondence must be submitted to Baywest via email sczinger@baywest.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.

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 sczinger@baywest.ca.

(6) FINANCIAL REPORT

6.1 FINANCIAL STATEMENTS

At the time of the meeting the financial statements for May 2014 had not been prepared by Baywest and not available for approval.

6.2 RESERVE & GEOTHERMAL LOAN TRACKER (May)

Contingency Reserve Funds Including GIC: \$720,304.43

Geothermal Reserve Funds & Loan

Geothermal Reserve (in the bank) \$ 81,485.24

Geothermal Loan Outstanding \$2,345,310.63

Current portion of Loan Payable \$5,985.13

Equity in Geothermal \$560,279.85

6.3 ACCOUNTS RECEIVABLE REPORT

The Strata Manager reviewed the accounts receivable and advised there is currently \$6,307.56 outstanding. 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 Baywest is directed to write a demand letter there will be a \$50.00 plus HST 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 Baywest 250-448-0044 or via email sczinger@baywest.ca

(7) BUSINESS ARISING FROM PREVIOUS MINUTES

7.1 KELOWNA DISTRICT ENERGY SYSTEMS

Siraz Dalmir and Jane Chan arrived at 4:00pm to discuss the District Energy System and provide an informal offer to purchase the geothermal system. After discussions and questions Council required further spread sheets to be produced to better outline the cost advantages to the Sunset Waterfront. Once council receives further information they will determine if a resolution will be brought forward to the Ownership at the Annual General Meeting in July.

7.2 WINDOW CLEANING

Spring window cleaning is complete. Next window cleaning is anticipated to take place in September or October.

7.3 TOWNHOME HALLWAY RE-PAINT

This has been added to the building manager task list and will occur when time allows.

(8) NEW BUSINESS

8.1 ANNUAL GENERAL MEETING – WEDNESDAY JULY 23, 2014

Council reviewed and discussed their proposed operating budget for the 2014-2015 fiscal year. After discussions it was moved and seconded to present the draft budget to the Ownership for approval.

CARRIED

After discussion of locations it was moved and seconded to hold the AGM at Discovery Bay, 1088 Sunset in their Amenity Room and the Strata Manager was directed to make the arrangements.

CARRIED

The Annual General Meeting notices will be mailed by Baywest no later than July 3, 2014 and posted to MyBaywest as a courtesy for those owners who will be out of town or travelling.

(9) TERMINATION OF MEETING

There being no further business, the meeting was terminated at 5:50 p.m.

(10) NEXT MEETING DATE

The next council meeting will be determined after the Annual General Meeting.

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

ANNUAL GENERAL MEETING JULY 23, 2014