

SPECIAL GENERAL MEETING MINUTES APRIL 09TH 2008
SUNRIDGE ESTATES – NW2671

Attendance

- 18 Owners registered and represented in person plus - 1 late arrival
10 Owners registered and represented by proxy
2 Owners registered and represented by proxy but illegible due to arrears

1. CALL TO ORDER

The President, called the meeting to order at 7:20 p.m.

The rules of order were stated for conduct during the meeting

- 2 types of votes were identified 50+ 1 on the administration issues of the meeting and $\frac{3}{4}$ vote of eligible voters on the resolutions.
- The owners were advised of the procedure for amending the stated resolutions.
- Any owner can suggest a motion to amend a resolution - motion seconder – discussion
- amendment will be voted on, and then the original motion (with changes if applicable)
- The owners were asked if non-eligible voters should be recognized by the chair during the meeting to speak on the issues- Owners were unanimous – NO.

2 REPORT ON REGISTRATION

The president gave the registration report stating that:

Of - 68 owners

28 were eligible to vote – 1/3 is 10 which constitutes the quorum required.

Motion to accept the registration report.

Motion – Unit 219 2nd Unit 209 IN FAVOUR 28 AGAINST 0 – MOTION CARRIED

3. PROOF OF NOTICE

It was noted that the Notice of Meeting was mailed to all Owners on March 18th 2008, allowing for the legal notice as directed in the Strata Property Act.

Motion to accept the proof of notice -

Motion – Unit 219 2nd Unit 327 IN FAVOUR 28 AGAINST 0 MOTION CARRIED

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4. ANNUAL GENERAL MEETING MINUTES - tabled till next AGM.

5. APPROVE THE AGENDA

Motion to accept the Agenda.

Motion – Unit 219 2nd Unit 327 IN FAVOUR 28 AGAINST 0 MOTION CARRIED

6. **COUNCIL PARTICIPATION** - President indicated that because of the nature of the meeting and the importance of the issues, as Council Members are owners too, they have a right to speak to the issues. By permission of the chair, they can upon request, temporarily remove themselves from their position to speak to the issues as owners.

An eligible voter registered at 7:42

Eligible voters & proxies now 29

RESOLUTION # 1

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 38.4 be amended to read as follows:

Any Strata Lot Owner who rents or leases his/her Strata Lot without first obtaining Strata Council approval pursuant to Bylaw 38 shall be liable to pay to the Strata Corporation a fine in the amount of \$500 for each 7 day period during which the Strata Lot is so rented or leased

Motion to accept the Amendment to Bylaw 38.4

Motion – Unit 101 2nd Unit 219 IN FAVOUR 27 AGAINST 0 Abstained – 2 **MOTION CARRIED**

RESOLUTION # 2

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 26.1 (a) (b) be amended to read as follows:

26.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:

(a) \$200.00 for each contravention of a bylaw, and

(b) \$50.00 for each contravention of a rule.

Motion to accept the Amendment to Bylaw 26.1 (a) (b)

Motion – Unit 219 2nd Unit 209 IN FAVOUR 24 AGAINST – 4

MOTION CARRIED

RESOLUTION # 3

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 36.13 be amended to read as follows:

36.13 Any vehicle which does not comply with paragraph 36.6 to 36.12 and 36.14 may be removed at the Owner's expense

Motion to accept the Amendment to Bylaw 36.13

Motion – Unit 219 2nd Unit 426 IN FAVOUR 25 AGAINST 1 Abstained 3 MOTION CARRIED

RESOLUTION # 4

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 2.4 & 2.6 be amended as follows

- 2.4** *if an owner is in contravention of bylaw 2.3, the strata corporation may levy a fine of \$50.00 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$50.00 and an administration charge of \$25.00*
- 2.6** *Failure to pay a special levy on the due date may result in a fine of \$100.00 for each contravention of bylaw 2.5*

Motion to accept the Amendment to Bylaw 2.4 & 2.6.

Motion – Unit 516 2nd Unit 219 IN FAVOUR 28 AGAINST – 1

MOTION CARRIED

RESOLUTION # 5

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 2.4 & 2.6 be amended as follows

- 5.9** *If any occupant of a strata or guest of an occupant contravenes these bylaws, council may levy a fine of \$ 50.00 for each contravention. Any fines levied and unpaid shall constitute monies owing to the Strata Corporation.*

Motion to accept the Amendment to Bylaw 5.9

Motion – Unit 201 2nd Unit 219 - Chairman indicated that the wrong file was sent and that a revision to the preamble was necessary. This did not substantially change the intent of the bylaw.

Motion to amend the preamble to Bylaw 5.9 from Bylaw 2.4 & 2.6

Amendment Motion – Unit 219 2nd Unit 201 IN FAVOUR - 28 AGAINST – 1

AMENDMENT CARRIED

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 5.9 be amended as follows (amendment)

- 5.9** *If any occupant of a strata or guest of an occupant contravenes these bylaws, council may levy a fine of \$ 50.00 for each contravention. Any fines levied and unpaid shall constitute monies owing to the Strata Corporation.*

IN FAVOUR – 29 AGAINST – 0 MOTION CARRIED

RESOLUTION # 6

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 42.15 (i) & (ii) be amended as follows:

- (i) After one (1) written warning from Council and/or Management of the same offence regarding the same Owner(s) or offender(s), a minimum first fine will be assessed at \$ 200.00.*
- (ii) For each complaint regarding the same offence the same Owner(s) or offender(s) after one (1) written warning and a first fine of \$ 200.00, a further \$200.00 may be added to each successive complaint received by Council and/or Management to a maximum of \$200.00 for each complaint thereafter.*

Motion to accept the Amendment to Bylaw 42.15 (i) (ii)

Motion – Unit 219 2nd Unit 426 IN FAVOUR - 25 AGAINST –3 Abstained -1 MOTION CARRIED

RESOLUTION # 7

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 41.1 be amended to read as follows:

A Strata Council shall not, except in emergencies, authorize without authorization by a $\frac{3}{4}$ Vote Resolution of the Strata Corporation, an expenditure exceeding \$5000.00, which was not set out in the annual budget of the Corporation and approved by the Owners at a general meeting

Motion to accept the Amendment to Bylaw 41.1

Motion – Unit 201 2nd Unit 101 IN FAVOUR - 27 AGAINST – 1 Abstained – 1 MOTION CARRIED

RESOLUTION # 8

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Bylaw 45.1 be amended to read as follows:

45.1 *No Owner, Tenant or Occupant shall use a barbeque or other heat source on the Premises unless the barbeque or heat source is:*

- (a) kept five feet away from the exterior of the Premises when in use:*
- (b) in proper working order: and*

(c) only used between the hours of 11:00 am to 11:00 pm

Motion to accept the Amendment to Bylaw 45.1

Motion – Unit 426 2nd Unit 327 IN FAVOUR -28 AGAINST – 0 Abstained –1 MOTION CARRIED

RESOLUTION # 9

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

The Owners of unit 210 be given permission to enclose the carport and install a permanent garage door in place of the current carport. The cost of enclosure and the garage door installation will be solely covered by the unit Owner. The current unit Owner and those Owners in the future of this unit will take full liability of any damages incurred in the installation process as well as future maintenance requirements of the enclosure.

Motion to accept the change to common property on Unit 210

Motion – Unit 219 2nd Unit 327 IN FAVOUR 28 AGAINST –0 Abstained 1 MOTION CARRIED

RESOLUTION # 10

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Fifty thousand (\$50,000) dollars be removed from the CRF fund on a permanent basis and put towards the structural repairs at units 101, 201, 204 and 409 and any monies remaining from this project shall be put back into the Contingency Reserve Fund.

Motion to remove funds from CRF for structural repairs to units 101, 201, 204 and 409.

Motion – Unit 219 2nd Unit 101

*****Motion to amend the amendment from unit 204 to 203**

Motion – Unit 219 2nd Unit 426 IN FAVOUR - 29 AGAINST – 0 AMENDMENT CARRIED

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Fifty thousand (\$50,000) dollars be removed from the CRF fund on a permanent basis and put towards the structural repairs at units 101, 201, 203 and 409 and any monies remaining from this project shall be put back into the Contingency Reserve Fund.

IN FAVOUR - 29 AGAINST – 0 MOTION CARRIED

RESOLUTION # 11

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Fifty Thousand (\$50,000) dollars be removed from the CRF fund on a permanent basis and put towards the investigation and repair of retaining walls identified in reports from contractors and engineers. Any residue amount from this specific project will be returned to the CRF fund.

Motion to accept the removal of 50,000 from CRF for retaining walls repair/replacement.

Motion – Unit 209 2nd Unit 101 IN FAVOUR –28 AGAINST –0 Abstained – 1 MOTION CARRIED

RESOLUTION # 12

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Thirty-five Thousand (\$35,000) dollars be removed from the CRF fund on a permanent basis and put towards the investigation and repair of hot water pan drainage pipes and any monies remaining from this project shall be put back into the Contingency Reserve Fund.

Motion to accept removal of 35,000 from CRF for hot water tank drain pipe repair.

Motion – Unit 225 2nd Unit 219 IN FAVOUR - 29 AGAINST – 0 MOTION CARRIED

The chairman advised that the previous day there was an inquiry from the insurance company about the actions taken by the strata on hot water tanks, drain pipe issues, and they were advised of this vote this evening and the ongoing investigation into the drain pipes.

RESOLUTION # 13

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Ten thousand (\$10,000) dollars be removed from the CRF fund on a permanent basis and put towards the cost of the building review by PBEM and any monies remaining from this project shall be put back into the Contingency Reserve Fund.

Motion to accept the removal of 10,000 from the CRF fund for building review.

Motion – Unit 209 2nd Unit 219 IN FAVOUR -27 AGAINST –0 Abstained –2 MOTION CARRIED

RESOLUTION # 14

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Council is authorized to use 2007 surplus funds up to Fourteen Thousand (\$14,000) dollars to complete the wooden fence. Any residual amounts will be returned to the 2007 surplus fund.

Motion to accept the use of 14,000 from 2007 surplus funds for the completion of fence

Motion – Unit 516 2nd Unit 426 IN FAVOUR - 27 AGAINST – 1 Abstained – 1 MOTION CARRIED

A discussion was held with respect to the location of the fence near the side walk extending from the large retaining wall (on Lansdowne) to the main entrance or at the top starting from the existing metal barrier. As there was no variance given to the 6 ft level, and to provide more privacy and noise reduction, the owners indicated that the fence should be build above the retaining wall past the mailbox to the main entrance. This would also alleviate blind spots when entering or leaving the complex. Council will follow the owners direction.

RESOLUTION # 15

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Council is authorized to allocate and spend up to Eleven Thousand (\$11,000.00) dollars to have the siding cleaned on 17 buildings. Excess funds to be returned to the 2007 Surplus account upon completion of this project.

Motion to accept the allocation of 11,000 for vinyl siding cleaning.

Motion – Unit 225 2nd Unit 426 IN FAVOUR-27 AGAINST – 1 Abstained – 1 MOTION CARRIED

RESOLUTION # 16

(Council indicated in April 02nd minutes that this needed to be revised to roof cleaning inspection and repair as per the preamble)

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Council is authorized to allocate and spend up to Five Thousand Five Hundred (\$5,500) dollars to have the siding cleaned on 17 buildings. Excess funds to be returned to the 2007 Surplus account upon completion of this project.

Motion to accept the 5,500 allocation of surplus funds for siding cleaning.

Amendment Motion – Unit 225 2nd Unit 424

Motion to amend the resolution to replace siding cleaning with roof cleaning/inspection/repair per the preamble in the meeting package.

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Motion – Unit 219 2nd Unit 225 IN FAVOUR -29 AGAINST – 0 AMENDMENT CARRIED

BE IT RESOLVED by a $\frac{3}{4}$ vote of the Strata Corporation that:

Council is authorized to allocate and spend up to Five Thousand Five Hundred (\$5,500) dollars to have the flat roofs cleaned/inspected and repaired on 17 buildings. Excess funds to be returned to the 2007 Surplus account upon completion of this project.

IN FAVOUR -29 AGAINST – 0

MOTION CARRIED

The owners were advised that because the eligible voters fell below the 50 percent mark, that no action could be taken on the resolutions for one week pending a challenge.

(Note – following the one week – bylaw changes take effect upon registration at land titles and notification to all owners)

The Chairman thanked the owners and adjourned the meeting at 8:20 pm

ANNOUNCEMENTS

1. Balcony membranes to be cleaned for inspection in the near future
2. Stair painting will be done soon
3. Deck railings will be started shortly
4. Windows/doors will be addressed by Starline in May
5. Garage door replacement. Notices will be sent out as soon as schedule is confirmed, but there is a requirement for several feet of clear space for them to perform the work.
6. If any owners want updates on the complex they can contact the Chairman via email and info will be sent by that means. In the meantime we are posting notices on the mailboxes to advise owners.
7. Unauthorized service calls to units by owners will be charged back to the owners. One unit has had 3 unauthorized call outs in excess of 1,200 dollars with no reports or causes. This is under investigation.
8. PST rebate will be submitted within a week

Sunridge Estates
Council

NOISE TRANSFERENCE

Owners inquired into the proper steps for complaints of noise. One owner having received a note in their door. As we live in a community, the best course of action is to speak directly with the owner and make them aware of your discomfort. This allows for immediate corrective action based on common courtesy and respect for your neighbours. Above “normal” living noises include loud audio & video (tv) systems, slamming doors, stomping, heavy walking with shoes on, excessive use of washer/dryer/dishwasher etc outside 8 am – 10 pm or noisy pets etc. The recipient of the concern, as a good neighbour should be willing to accommodate and adjust their activity. Failing to do so, can result in the concerned owner filing a written complaint to council which will lead to an investigation and corrective action.

Please note that should an owner receive a letter from council, either a warning or a fine based on 2nd plus infractions of the bylaws, the recipient has the right to be heard by council to present their case and at that time the fine is either waived or implemented. Failure to apply to be heard, leads to the application of the warning/fine to your unit.

Please also be aware that with the installation of laminate/hardwood floors,
the sound transference goes both ways.