

**FIRST ANNUAL GENERAL MEETING MINUTES
STRATA PLAN BCS 1345 – ONE UNIVERSITY CRESCENT**

DATE HELD: WEDNESDAY, JANUARY 11, 2006

LOCATION: DIAMOND ALUMNI CENTRE
(lower level)
8886 UNIVERSITY DRIVE
SIMON FRASER UNIVERSITY
BURNABY, B.C. V5A 1S6

CALL TO ORDER: 7:00 PM

Owners in Attendance: Seventy (70) Owners votes were registered as being in attendance, Thirty-Two (32) of which by Proxy.

Also in Attendance: Mr. Mel Meln, STRATAWEST MANAGEMENT LTD.
Mr. Garth Cambrey, STRATAWEST MANAGEMENT LTD.
Mr. Francois Viljeon, CONCIERGE – ONE UNIVERSITY CRESCENT

(1) CALL TO ORDER

The Meeting was called to order at 7:10 p.m.

(2) ELECTION OF CHAIR

There being no objections, Mr. Mel Meln of Stratawest Management Ltd. acted as the Chair for this evenings meeting. Normally the duly elected President of the Strata Corporation chairs the meeting.

(3) CERTIFICATION OF PROXIES/DETERMINATION OF QUORUM

Prior to the commencement of the Meeting, all Owners were registered and it was determined that Thirty-Eight (38) Owners votes were present in person and Thirty-Two (32) Owners votes by Proxy for a total representation of Seventy (70) Votes. As this exceeded the required quorum of 38 Votes the Meeting was declared competent to proceed with business.

NOTE: 28 of the 32 Proxies were held by the Developer who instructed that the Proxies not be voted on Agenda Items 7, 8 and 10.

(4) PROOF OF NOTICE

Owners were advised that Notice of the Annual General Meeting was mailed in accordance with the *Strata Property Act* and there being no objections raised, it was

MOVED AND SECONDED (Munro, #101-9380/Clayman, #600-9380)

That Notice of the Meeting be accepted.

**CARRIED
(28 ABSTENTIONS)**

(5) REVIEW OF STRATA CORPORATION OPERATION

The Owners in attendance were advised that the official title of the Strata Corporation is “The Owners, Strata Plan BCS 1345”, commonly known as the “One University Crescent”. The Strata Plan number is registered in the Land Title Office.

The Strata Corporation has 113 Strata Lots & 112 Units.

The Strata Corporation is governed by the *Strata Property Act*, the Strata Property Amendment Act, the Strata Property Act Regulations and the Strata Corporation Bylaws. These various pieces of legislation must be used together. The most important portions for the day to day operation and governance of the Strata Corporation are Parts 4 through 10 of the *Strata Property Act*. This includes governance, property, finances, bylaws and rules, rentals, insurance, legal proceedings and arbitration.

The components of the Strata Corporation were reviewed and included Common Property, Limited Common Property, Exclusive Use Common Property, Common Facilities and Common Assets.

The definition and boundaries of a Strata Lot were reviewed and reported were that generally the common pipes, ducts, wires, cables, services, etc. located in the common walls, ceilings and floors between two Strata Lots are Common Property.

The Common Property owned by the Strata Corporation is everything other than the individual Strata Lots including the Common Areas of the building and Amenities Facility and equipment as well as the exterior of the buildings and the grounds.

The responsibilities for repairs are described in the *Strata Property Act* Section 72 and the Strata Corporation Bylaws. The Strata Corporation is basically responsible for the structure and exterior of the building, balconies/ patios, door and windows on Common Property, Common Areas and Common Facilities and Assets.

It was also noted that the balconies/patio areas are Limited Common Property for the exclusive use of certain Strata Lots and therefore must be maintained by those individuals, except for any structural or repair other than the daily maintenance would be the responsibility of the Strata Corporation.

Reviewed was the Management of the Strata Corporation through Stratawest Management Ltd. It was reported that Management would work with the Strata Corporation and the Strata Council to govern the affairs of the Strata Corporation. The Property Manager will act as an Advisor and shall work under the direction of the Strata Council. Management will assist to oversee the day to day operation of the Strata Corporation and to maintain the records and the financial affairs of the Strata Corporation. The Strata Corporation employs a Concierge who will liaise with Owners, trades and visitors to the property to provide assistance, direction and support of management and the Strata Corporation in its day to day operation.

Reference was made to the Developers Disclosure Statement and highlighted were the Bylaws of the Strata Corporation and the Developers Rental Disclosure Statement indicating that there is presently no rental restrictions for the Strata Corporation.

The mandatory Home Warranty Program was reviewed. The Warranty Provider is the National Home Warranty Programs.

Management advised that National Home Warranty Programs would be issuing confirmation of warranty to each Strata Lot Owner and the Strata Corporation for the common property.

Owners were advised that Strata Lot deficiencies should be directed in writing to the Developer by each individual Owner. Owners should compile a list of all deficiencies and deliver same to the Developer near the end of the Strata Lot warranty period, if not previously attended to. Deficiencies requiring immediate repair should be brought to the Developer through the general contractor as advised in the Home Warranty Welcome Package. It was reported that the Common Property and Common Area deficiencies will be directed to the Developer through the Strata Council.

(6) **INSURANCE REPORT**

As required by the *Strata Property Act*, a copy of the Strata Corporations Insurance Policy Summary was attached to the Notice of Annual General Meeting. It was reported that the Strata Corporation maintains insurance for replacement costs for the building to a value of \$31,000,000.00 and includes boiler and machinery coverage, earthquake coverage, liability insurance coverage and Strata Councils directors and officers liability insurance. Reviewed with the Owners were the applicable deductible for property damage, water damage, sewer back up, flood damage and 10% deductible for earthquake damage.

In accordance with the *Strata Property Act*, an insurance appraisal will be undertaken this year and is currently on order will be updated annually to determine full replacement value of the building.

Individual Owners were advised of their responsibility for insuring any personal contents together with any improvements and betterments made to the individual Strata Lots, as well as possible liability insurance within the individual Strata Lot. Management advised that BFL Canada Services Inc. (formally Stewarts Insurance Services) is in the process of introducing a Home Owners Condominium Package to Dove Tail with their Strata Corporation Policy. Management has requested a copy of their brochure which is currently in printing and if available prior to mailing of these Minutes may be attached for Owners perusal. Stratawest Management Ltd. has no interest in this insurance coverage other than providing the information so Owners can have alternative choices for their personal Strata Lot coverage.

Some discussion with Owners took place with respect to the insurance coverages and various features applicable. Management was asked whether or not the insurance policy will be put up for tender in future and as instructed by the Strata Council this will be considered. The current policy was put into place by the Developer.

(7) **FINANCIAL REPORTS**

a) **Approval 2006/2007 Budgets**

The Owners were advised that prior to the formation of the Strata Corporation the Owner/Developer is responsible for all expenses. After the first conveyance the Interim Budget commenced as of July 2005. The Strata Lot Owners must pay their monthly share of estimated operating expenses based upon the Interim Budget established by the Owner/Developer. The Interim Budget shall now end as of January 31, 2006.

If the expenses accrued are greater than the Interim Budget operating expenses, the Owner/Developer must pay the difference to the Strata Corporation within 8 weeks after the first Annual General Meeting. If expenses accrued are less than the operating expenses estimated in the Interim Budget, the Strata Corporation must refund the difference to the Owners, provided if the amount is more than \$100.00 per Strata Lot. Otherwise, the Strata Corporation may decide to deposit the difference in the Contingency Reserve Fund. It was requested that a motion be made to place the Budget on the floor for discussion and vote purposes.

It was then,

MOVED AND SECONDED (Clayman, #600-9380/Munro, #101-9380)

That the Proposed Budgets be put on the floor for discussion.

CARRIED
28 ABSTENTIONS

The proposed 2006/2007 Operating and Contingency Reserve Budgets were circulated to all Owners with the Notice of Annual General Meeting. The fiscal year period shall be February 1, 2006 to January 31, 2007. It was reported that the Owner/Developers Interim Budget was first prepared in 2002 and was based on known comparable at the time, however One University Crescent has various unique features such as separate lobbies, hot water system, enterphone systems, etc, that are not proportionally comparable. The proposed 2006/2007 Operating and Contingency Reserve Budgets reflect an approximate 20% increase over the Interim Budget.

The Interim Budget had a 5% allocation to the Contingency Reserve Fund with the Developer requiring to pay 5% (\$17,752.00) of the Interim Budget to Contingency Reserve Fund at time of first of conveyance. This has been received by the Strata Corporation. The *Strata Property Act* requires that the Strata Corporation allocate 10% of the Operating Budget to Contingency Reserve Fund should the Reserve balance be less than 25% of the fiscal year's Operating Budget.

Mr. Meln, Property Manager reviewed with Owners various aspects of the Budget on a line by line basis and discussed then ensued on the rational applied by the Property Manager in recommending the Budget. Various Owners spoke of different aspects to the Budget and how they compare to the Interim Budget and may be reflective in future.

The Property Manager advised that the proposed Operating Budget will be for the first full fiscal year of the Strata Corporation and the majority of the actual expenses should be determined within the first fiscal year. This will be the learning year for the Strata Corporation in many of the expense categories and the Strata Council with Management will be reviewing the Operating Budget income and expenditures during the fiscal year and will be making recommendations and decisions reflecting actual costs.

The Owners were advised that the new increased Strata Fees become effective February 1, 2006. Those Owners who have applied for Pre-Authorized Strata Fee withdrawals will have their newly approved Strata Fees automatically withdrawn on that date.

After discussion with various aspects of the Budget a vote on the proposed 2006/2007 Budget was called and the Budget was declared,

**CARRIED
(28 ABSTENTIONS)**

(8) ¾ VOTE RESOLUTION – SECURITY UPGRADES

Notice of the ¾ Vote Resolution was forwarded to owners with notice of the 1st Annual General Meeting. Mel Meln of Stratawest Management introduced the Resolution to Owners and explained the rational for asking the Owners to consider this request to withdraw finds from Contingency Reserves for security upgrades. There have been numerous break ins to all of the occupied Strata Corporations at Univercity and unfortunately, One University Crescent has not been immune to these break and enter attempts and on at least three instances the building has been broken into and in one instance there was a theft of a vehicle as well as a theft of master keys from the lock box of the general contractor which resulted in a rekeying of the entire building. Management has upgraded door protection in various locations at Building I and Building II, however additional door protection upgrading is deemed necessary as well the Strata Corporation may consider in the opinion of Management upgrading other areas of security and possibly relocation or additional security camera installations. Mr. Meln asked for a motion to place the ¾ Vote Resolution on the floor prior to Owners discussion and vote.

It was then,

MOVED AND SECONDED (Clayman, #600-9380/Smith, #101-9380)

WHEREAS

The Owners Strata Plan BCS 1345, One University Crescent are desirous to improve and upgrade building security.

THEREFORE

Be is resolved as a ¾ Vote Resolution of the Owners, Strata Plan BCS 1345 – One University Crescent that the duly elected Strata Council is authorized to expend from the Contingency reserve fund when sufficient balances are accrued up to the sum of Twenty-Five Thousand Dollars for the purpose of upgrading building security. This may include but is not limited to upgrading the security for building locks, doors and exits, installation or relocation of security camera's or other related security upgrades deemed appropriate.

Various Owners spoke to the Resolution indicating their desire to see that the building had adequate and improved security. Some Owners referenced the Developer and felt that some of these additional costs should have already been included in the original development or received by way of contribution to assist the Strata Corporation. However, the level of security while being quite high is set at what it is and if the Strata Corporation is desirous to upgrade it, costs must be born by the Strata Corporation to do so.

After discussion from many parties with respect to the security, a vote on the motion was called and it was declared,

**CARRIED
35 VOTES RECEIVED
REQUIRED TO PASS 27
35 IN FAVOUR
NONE OPPOSED
35 ABSTENTIONS**

(9) **NEW BUSINESS**

The following matters were brought up for discussion.

a) **Simon Fraser Community Association**

Management distributed a cover letter from the Simon Fraser Community Association advising of the Annual Meeting scheduled for Tuesday, January 17, 2006 along with a summary sheet indicating the goal and purpose of the Community Association. Each Development at University as part of the Developers Permit is required to join the SFU Community Association and Membership thus becomes an association of the Community to benefit University residents and as well to gain benefit of certain arrangements with the University for use of amenities and facilities.

Management advised that a Representative from the Strata Corporation will be required to attend the General Meeting and at some point a permanent member of committee will be struck for this purpose. When the new Strata Council is elected the new Council Members will discuss the matter and agree on a representative for One University Crescent for attendance at the first General Meeting. A copy of the prepared summary sheet is attached with these Minutes for all Owners reference.

b) **Architectural Issues**

An Owner discussed with the Strata Corporation a problem being encountered with an architectural detail at their floor (6th floor) but common to other areas of the building. A metal decorative overhang has created a problem during the cold weather whereby water dripping off of the metal overhang resulted in very large icicles, in one instance measured approximately 6 inches x 3 feet, which could become very dangerous to individuals below. The Owner asked that the Strata Council communicate with the Developer to see whether or not some modifications can be made to these decorative overhangs that may restrict the amount of dripping water and negate the formation of icicles.

The Owners also spoke of the problem being encountered with respect to wind blowing rain, which is entering balconies and various locations of the property. In addition the balcony drains and overflow drains for each unit can be a problem to units below when Owners clean their balcony areas.

An Owner addressed this problem and indicated he had discussed it directly with the City of Burnaby who requires these drains by law and that the Developers architectural style of installation is not unique or different to other similar properties and is conforming. The Strata Corporation will need to put into place Rules and Bylaws governing the cleaning of homeowner balconies so that homeowners do not inadvertently cause disruption to Residents below them.

c) **Power Outage/Breaker Issue**

On Christmas evening there was an instance when the lobbies and emergency stairwells of addresses 9300 and 9310 went dark as a result of a breaker in the main electrical room of building II tripping causing the circuit breakers for those two lobbies and emergency stairwells to go dark. Emergency lighting does not react in this instance as there was not a power failure at the building, however it became a very difficult procedure for Owners in that building to gain access to their suites until the circuit breakers were adjusted. Management repaired the problem in a timely manner and has asked the general contractor to review the circuit breakers to see if there is a problem that directly caused this event.

IT IS RECOMMENDED THAT ALL OWNERS MAINTAIN A SMALL FLASHLIGHT DEVICE IN THEIR VEHICLE AND RESIDENCE IN THE EVENT THAT THEY ARE REQUIRED TO UTILIZE THE EMERGENCY STAIRWELLS. WHILE THE BUILDING DOES HAVE EMERGENCY LIGHTING, CIRCUMSTANCES AND EVENTS MAY BE SUCH THAT ADDITIONAL LIGHTING ASSISTANCE IS REQUIRED AND ALL OWNERS WOULD BE WELL SERVED TO BE PREPARED FOR SUCH AN UNFORSEEN OCCURRENCE.

d) **Amenities Room - Issues**

Owners discussed a recent problem in the Corporations Amenities Room whereby a party was held with approximately 20 to 30 individuals who did not respect the facilities and caused disruption to neighbours as well as personal behaviour issues.

The Owners spoke of placing additional monitoring cameras for this facility as well as having additional locks in place so that use of the Lounge area will be on a reserved basis requiring that an Owner contact the Concierge in advance and pick up a specific key for an event.

In addition there has been some rough treatment of the billiards facility as well as the gym room and the Strata Council will be required to consider the Rules and additional security upgrades to protect and monitor the use of these facilities.

The Owners spoke of not wishing to have severe hours of use restrictions, however if owners are not in care and control of their visitors, guests or young children at these Facilities then such Rules/Bylaws will need to be put into place as soon as possible.

e) **Floor Noise**

An Owner spoke to the Strata Corporation with respect to heavy floor noise transference she hears in her suite from Owners above. She first thought that the noise transference was a result of hardwood floor, however subsequent conversations with her neighbours above and investigation she learned that carpet is the floor material above and as such the transference is occurring at her location through carpeted floor and not hardwood as initially surmised.

All Owners/Residents are asked to be cognizant of the fact that while One University Crescent is a concrete building, concrete can transmit noise and sharp banging, heavy walking, etc. can lead to sound transference throughout your building and in particular to your neighbours below.

f) **Pets**

Owners discussed the problem of pet droppings on the common property in and around the building. If you have pets at your unit it is an Owners responsibility to pick and clean up after their pet(s). All pets should be on leashes while on the common property of One University Crescent and Owners are responsible for the care and control of their animals.

The Strata Corporation will undoubtedly enact Bylaws for pets, however common sense and respect for your neighbours should direct all Owners with pets to act in a responsible manner.

g) **Parking Ramp Mirror**

An Owner spoke requesting that the Strata Corporation consider the installation of a parking ramp mirror(s) to assist with the access and egress from the garage area as well as considering the painting of a diving line so that cars have a better direction to stay on the appropriate side of the ramp when entering or leaving the building. Management will obtain quotations for this installation and provide same to the new Strata Council.

h) **Garbage / Recycling Etiquette**

An Owner asked whether or not the loose bottles being collected in the garbage room of building I are being saved for any specific purpose. It was reported that at the suggestion of an Owner the bottles are being collected separately and while it is a Strata Corporation decision it was felt that maybe the Strata Corporation can make a charitable donation in its name to some worth while association or cause. Owners present felt that this was a worthwhile idea and the loose bottle collection will be followed up with at the first Strata Council Meeting.

All Owners are asked to be cognizant of the disposal of their personal garbage and recycling. Cardboard should be broken down and flattened before placement into the garbage container. Owners are asked to pay particular attention in disposing of their recycling to the appropriate bin. All household garbage should be wrapped and tied so that odours do not filter throughout the building between collection pick ups.

One Owner asked the Strata Corporation to contact the City of Burnaby to see whether or not the Building I bin can be replaced.

(10) **ELECTION OF 2006/2007 STRATA COUNCIL**

Pursuant to the Bylaws of the Strata Corporation, the Strata Council must consist of a minimum of three and a maximum of seven Members. The following Owners were nominated or volunteered to serve on the Strata Council:

Mr. Smith Munro	#101-9380
Mr. Bruce Clayman	#600-9380
Mr. Jan Nielsen	#700-9330
Ms. Anita Smith	#100-9390
Mr. James Atamanchuk	#700-9370 (Representative to Suite)
Mr. Dario Nonis	#400-9310
Ms. Lois Woolf	#400-9370

After three calls for further nominations or volunteers, nominations were declared closed and the above noted Owners were declared elected to the 2006/2007 Strata Council.

(11) ADJOURNMENT

There being no further business the meeting was adjourned at 9:03 p.m.