

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS, STRATA PLAN LMS 93, FRANCISCO LANE, HELD ON TUESDAY, OCTOBER 30, 2007, AT 7:00 PM AT THE HOLIDAY INN METROTOWN, SALON A, 4405 CENTRAL BOULEVARD, BURNABY, BC**

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**CALL TO ORDER:**

The meeting was called to order by the Strata Council President, Mr. Dave Davies, at 7:57 pm.

**CALLING OF THE ROLL AND CERTIFICATION OF PROXIES:**

Mr. Allan Grandy, Strata Manager, advised that subsequent to the calling of the roll and certification of proxies it had been determined that there were 100 eligible voting members at Francisco Lane. Quorum consisted of one-third of those eligible to vote, rounded up to the nearest whole number, or 34 voting members. There were 25 owners present in person, 8 represented by proxy, for a total of 33 voting members.

While the meeting had not achieved the required number for quorum at the scheduled start time of 7:00 pm, pursuant to the bylaws of the Strata Corporation the meeting waited 30 minutes, and then reconvened at the same date, time and place, with those owners present in person or by proxy being deemed to be quorum. The meeting was therefore quorated and competent to proceed with the business at hand.

**FILING OF PROOF OF NOTICE OF MEETING:**

The Strata Manager read into the record the notice of meeting which was distributed to all registered strata lot owners in accordance with the provisions of the Strata Property Act and the bylaws of the Strata Corporation, stating the date, time, place and purpose of the meeting.

**MINUTES OF THE MEETING OF DECEMBER 18, 2006:**

It was noted that on page 6, in the first line of the third paragraph, the word "unnecessary" should be changed to "necessary". It was then

**MOVED AND SECONDED:**

That the minutes of the meeting of December 18, 2006 be adopted as amended.

*MOTION CARRIED UNANIMOUSLY*

**BUSINESS ARISING FROM THE MINUTES:**

There was no business arising from the minutes.

**STRATA COUNCIL REPORT:**

A copy of the Strata Council President's report is attached to and forms part of the minutes of the meeting.

**FINANCE REPORT:**

The Strata Manager was called upon to introduce the proposed 2008 operating budget.

The Strata Manager reviewed with the owners the provisions of the proposed operating budget, along with the anticipated fiscal performance of the Strata Corporation through the conclusion of the current year. It was noted that the Strata Corporation has experienced higher than anticipated costs in dealing with roof leaks, drainage line repairs and the resultant water damage repairs (including insurance claims). In the capital plans included in each of the budget options funding has been made available to implement perimeter drainage system repairs outside of unit 11, in keeping with the recommendation of the repair contractor and Dubas Engineering, who inspected the situation. This unit has experienced a number of backups

**DRAFT  
FOR DISCUSSION**

resulting from overloading of the perimeter drain tile system during prolonged and heavy rainfalls.

The Strata Manager referred the owners to the capital plan options included with each of the budget options. The capital plans are essentially identical, except that each of them provides a different level of funding through special levy. It was noted that while the Strata Corporation does set aside a significant amount of money each year to put aside in the contingency fund as part of its operating budget, due to the rapidly escalating costs of completing work items (such as the cost of re-roofing) the contingency fund will not contain sufficient monies to meet these major future expenses. The Strata Council recognizes that a sizeable special levy at the time of completion of a project may cause considerable hardship to some owners; therefore, augmenting the contingency reserve fund allocations is recommended. A year ago the Strata Corporation authorized augmenting of the contingency reserve fund at a cost of approximately \$45.00 per unit on average. This year, the three options presented for the ownership's consideration range from \$95.00 per month per strata lot to \$125.00 per month per strata lot. The Strata Council is recommending that the higher level of funding be adopted, as it will reduce the size of the special levies which may be required just prior to completion of the major work items such as re-roofing. Discussion was held on the rapidly escalating costs in the Lower Mainland for items such as re-roofing, which have significantly impacted the long-term financial planning for the Strata Corporation.

A lengthy discussion then ensued with regards to the summer painting program. It was noted that the carpentry repair work, as discussed at the previous Annual General Meeting, revealed that far more carpentry repairs were required than originally anticipated. While the Strata Council has received favourable comments concerning the work done by Pro Star Painting, the Council has also received some less than favourable comments from some owners concerning carpentry repairs completed by the contractor at certain units. All deficiencies reported have been forwarded to Pro Star for attention, and the contractor has been requested to obtain sign-offs from owners to verify that the deficiencies have been completed to the owner's satisfaction. It was noted that a considerable amount of frustration developed during the carpentry repairs, and that some of the frustrations may be the result of Pro Star attempting to adjust to the increased level of carpentry repairs being required by hiring additional repair staff in a marketplace where readily available skilled carpenters are at a premium. In the Pro Star invoicing reports the contractor has indicated that no costs have been charged back to the Strata Corporation to correct any deficiencies identified.

Concern was expressed with the clean up of storage areas utilized by Pro Star, especially in regards to pieces of metal and nails left on the property. It was noted that at this time staff were currently awaiting advice from Pro Star and the painting inspector on the number of units felt to be substantially complete. Once this information has been received a final deficiency notice will be sent to those owners. At this time painting work cannot take place due to the prevailing weather conditions, and Pro Star will be returning to the site in Spring 2008 to complete the remaining work. It was noted by the Strata Council that the cleaning of the vinyl siding, while authorized for completion in 2007, was felt best to be done after the painting program has concluded. Since the painting program will not conclude in 2007, the vinyl siding cleaning has been held over to 2008.

After further discussion concerning exterior painting and deck repairs, it was

MOVED AND SECONDED:

That:

**WHEREAS** The Strata Property Act sets out the required information to be submitted with the proposed budget; and

**WHEREAS** The Strata Property Act requires the Strata Corporation to report on the contingency reserve funds, operating expenses and unapproved expenses; and

**WHEREAS** The Strata Property Act establishes the approval process for the various components of the budget for the coming fiscal year;

**BE IT THEREFORE RESOLVED THAT:**

- ⇒ The Owners, Strata Plan LMS 93, hereby authorize the carry over of anticipated operating surplus funds in the amount of \$4,144.14, as an operating fund surplus. (refer to Section 105 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize a 2007/2008 reserve contribution in the amount of \$57,320.00. (refer to Section 93 of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize a transfer from reserves in the 2007/2008 fiscal year in the amount of \$121,000.00 to fund repairs as outlined in the Capital Plan – Option B dated September 20, 2007. (refer to Section 96 of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize operating expenses in the amount of \$232,880.00 (exclusive of the reserves and capital expenses). (refer to Section 103 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, approve a capital levy in the amount of \$139,380.00 to provide additional reserve funding in accordance with the Capital Plan requirement of the capital cash flow projection. Each owner's share of the capital levy shall be due and payable in 12 equal installments commencing January 1, 2008 and ending December 1, 2008. (refer to Section 94 (1) of the Strata Property Act)

After some final discussion on the resolution, question was called and the motion was

*DEFEATED (5 in favour, 28 opposed)*

It was then

**MOVED AND SECONDED:**

That:

**WHEREAS** The Strata Property Act sets out the required information to be submitted with the proposed budget; and

**WHEREAS** The Strata Property Act requires the Strata Corporation to report on the contingency reserve funds, operating expenses and unapproved expenses; and

**WHEREAS** The Strata Property Act establishes the approval process for the various components of the budget for the coming fiscal year;

**BE IT THEREFORE RESOLVED THAT:**

- ⇒ The Owners, Strata Plan LMS 93, hereby authorize the carry over of anticipated operating surplus funds in the amount of \$4,144.14, as an operating fund surplus. (refer to Section 105 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize a 2007/2008 reserve contribution in the amount of \$57,320.00. (refer to Section 93 of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize a transfer from reserves in the 2007/2008 fiscal year in the amount of \$121,000.00 to fund repairs as outlined in the Capital Plan – Option C dated September 20, 2007. (refer to Section 96 of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, hereby authorize operating expenses in the amount of \$232,880.00 (exclusive of the reserves and capital expenses). (refer to Section 103 (1) of the Strata Property Act)
- ⇒ The Owners, Strata Plan LMS 93, approve a capital levy in the amount of \$151,100.00 to provide additional reserve funding in accordance with the Capital Plan requirement of the capital cash flow projection. Each owner's share of the capital levy shall be due and payable in 12 equal installments commencing January 1, 2008 and ending December 1, 2008. (refer to Section 94 (1) of the Strata Property Act)

After discussion of the resolution, question was called and the motion was

*CARRIED (29 in favour, 1 opposed)*

It was noted that the approved option "C" called for the capital plan funding option of a special levy in the amount of \$151,100.00, to be paid in twelve equal instalments by all owners in accordance with unit entitlement, commencing January 1, 2008.

**INSURANCE POLICY RATIFICATION:**

The Strata Manager then introduced the proposed  $\frac{3}{4}$  vote resolution to ratify the insurance policy.

The Strata Manager reviewed the basic inclusions of the policy, and the individual strata lot owner's responsibility to have and maintain their own insurance coverage to protect their personal belongings, betterments and improvements. The Strata Corporation has bylaws which allow the Corporation to charge back to a strata lot owner the costs of repairs (up to the maximum of the applicable insurance deductible) under certain circumstances. Owners should therefore make sure that their homeowners insurance provides them with some protection, to indemnify them from the charging back of such costs.

It was then

**MOVED AND SECONDED:**

That:

**WHEREAS** the Strata Corporation currently insures considerable assets over which it has an insurable interest but no beneficial ownership; and

**WHEREAS** the Strata Corporation is required in its mandate to deal with matters affecting not only the common property, common facilities and common assets, but also those fixtures built or installed by the owner/developer as part of the original construction; and

**WHEREAS** the Strata Council is recommending that the Strata Corporation approve the property insurance policy and related risks in accordance with the Certificate of Insurance attached to the notice of meeting, which sets out the current level of insurance coverage;

**BE IT THEREFORE RESOLVED THAT** The Owners, Strata Plan LMS 93, hereby approve the insurance policy and the terms as set out in the Insurance Certificate dated July 23, 2007, setting out the coverages for the benefit of The Owners, Strata Plan LMS 93, in accordance with Section 149 of the Strata Property Act and related regulations.

Question was called and the motion was

*CARRIED UNANIMOUSLY*

**ELECTION OF THE 2007/2008 STRATA COUNCIL:**

It was noted that at this time the current Strata Council retires and it is the owners' responsibility to elect a minimum of three to a maximum of seven owners to represent them as the Strata Council until the next Annual General Meeting.

Nominations were then called for election to Council and the following owners were duly nominated:

Lars Bach	Unit 91
Gordie Kishkan	Unit 1
Dave Davies	Unit 88
Mark Cockle	Unit 75
Carol Cruickshank	Unit 11
Brian Kingsley	Unit 46
Michael Layne	Unit 45

There being no further nominations, it was

**MOVED AND SECONDED:**

That nominations be closed.

*MOTION CARRIED UNANIMOUSLY*

The above-noted owners were declared elected to the 2007/2008 Strata Council by acclamation.

**OTHER BUSINESS:**

**Appreciation**

Appreciation was extended to the outgoing Strata Council for their efforts during the past year.

**Exercise Room**

It was noted that some individuals fail to turn off the lights or turn down the heat when leaving the exercise room, and suggested that reminder signs might be of benefit.

Rekeying

It was noted by Council that re-keying has been authorized and the new keys have now been received by staff. At the time the re-keying takes place the entry gate will be re-coded.

Garbage

All owners were advised that only household garbage may be placed in the refuse receptacles. Furniture, appliances, construction materials etc. are not allowed. The City of Burnaby does provide a free pick up service for some items, such as hot water tanks and appliances and some types of furniture. While this service is provided at no cost to the owner, the owner must contact the Burnaby Sanitation Department at 604-294-7210 to make the necessary arrangements. For those items which will not be picked up by the City, owners must make alternative arrangements for removal from the property.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:40 pm.

**STRATACO MANAGEMENT LTD.**

**#101 – 4126 Norland Avenue**

**Burnaby, BC**

**V5G 3S8**

**Tel: 604-294-4141**

**Fax: 604-294-8956**



Real estate regulations require a vendor to provide purchasers with copies of minutes. Please retain these minutes as there will be a charge to the owner for replacement copies.

/dc

**President Report Summary – Annual General Meeting  
October 30, 2007**

Thanks to everyone for making the time to attend the Annual General Meeting.

I'd also like to extend my thanks to the existing strata council members for all of their efforts throughout the year especially in light of all of the work that's been done around the complex. Also thanks Allan for fielding all of the ownership calls and requests throughout the year which I understand were significant.

**Prostar Painting**

This year represented a significant amount of improvements for the complex. The biggest project for the year was obviously the wood rot replacement and painting project contracted by Prostar Painting. The start of that project saw a significant amount of balconies being identified with extensive wood rot in a number of areas that required replacement.

During the first month of the project, the ownership feedback was generally very positive, however, as the work continued both Allan and the strata council began to hear more complaints with respect to the quality of the work being done and the amount of time that was being taken to complete the work. In late August, it was agreed that a deficiency survey be delivered to the ownership so we could get some sense of the overall magnitude of problems.

Only about 40% of the ownership responded to the survey and I thank everyone who responded with their diligent and detailed feedback. Overall, some of the work went very well and some of the work required considerably more attention.

From the people who responded back, the comments ranged significantly. Some owners thanked Prostar for the excellent work that they have done so far and some owners wrote a full page of deficiencies explaining how the workmanship and appearance of the repairs were not professionally done and that it's the worst job they have ever seen.

Some owners also included comments about their garage doors having wood rot and needing to be replaced. Just a reminder that item that the garage door if it's damaged or in need of replacement that it's the owners responsibility to replace the garage door.

Some of you have been asking if the work has been finished and what the overall status of the project is and while I know Allan will be able to comment on that later in this meeting, I'll just mention now that because of the weather, the work likely won't be completed until early spring of next year. Also some of the things that were found by Prostar, for example the privacy fences along the west side of the complex starting behind unit 20 and moving towards the back of the complex, will not be handled by Prostar as it will be more cost effective for us to contract a fencing professional to replace those fences that are completely rotten.

**Prostar Project Status and Vinyl Siding Cleaning**

Also questions have been asked about the cleaning of the vinyl siding which some owners actually thought that Prostar was suppose to be doing and that they've done a very bad job cleaning the siding. In actual fact, Prostar has not been contracted to clean our vinyl siding and we have another company lined up to do that work which we are

anticipating to have done after Prostar is finished doing the work they have been contracted to complete.

### **Back Fence Replacement**

Another improvement to the complex involved the tearing down and replacement of our back fence with a chain link fence and so far the feedback has been very positive. Not only are we no longer subject to the graffiti bandits but the youth who once hung out along the back near the lamp post and gate entrance way, just don't like to hang out there anymore. I'm guessing that it's because the area is so visible now with many of the back facing units able to clearly view the back pathway.

### **Key Change**

Over the summer we experienced some vandalism in the women's washroom and we've had the clock stolen from the amenity room. Also we've had reports of people who are not owners of the complex using keys to access the property and use the pool and shower facilities. For these reasons and the fact that we've virtually never changed the keys to the gate entrance and amenity room, council has decided to have the locks re-keyed and Allan will be giving more information about how and when you'll be getting your new key.

### **Parking**

I'm happy to report that no vehicles had to be towed since our last Annual General Meeting but some residents have been issued their final written notice about parking their vehicles in the visitor spots. Out of respect for those owners who are paying for reserved spots and for those who observe the parking bylaws, please be mindful that space is limited and that parking along Rumble street is your best option if it's a vehicle that you own.