

The Annual General Meeting of the owners of Strata Plan No. VIS 2720 (Hampton Court and Churchill Place) took place on Thursday, 19 August 2004, at the Royal Canadian Legion, 411 Gorge Road East, Victoria, BC.

1. Call to Order

The meeting was called to order at 7:15PM. Will Carter of Baywood Property Management reported that there were 46 out of the 108 owners present in person or by proxy thus providing a quorum.

Will Carter introduced the Strata Council. Present were Roger Taylor, Gerry Gabel, Don Gorby and Chris Maze. Mary Lou Newbold and Darren Pears were absent. Roger Taylor, President, acted as Chair of the meeting.

2. Minutes of Previous General Meetings

The Minutes of the 31 July 2003 AGM were considered first. In items #7 and #8, "A. Humphrie s" was changed to "A. Walper". Some owners complained that they did not receive these Minutes and they were directed to speak with Will Carter to ensure their mailing address was correct. Moved by Anita Walper (HC 106), seconded by Donna Bishop (HC 104) that "The Minutes of the 31 July 2003 Annual General Meeting be approved as amended". The motion was carried unanimously.

Next the Minutes of the Special General Meeting of 16 March 2004 were considered. No changes were needed and Lil Wilson (HC 112) moved that "The Minutes of the 16 March 2004 Special General Meeting be approved", seconded by Nils Sjoberg (HC 412). The motion was carried unanimously.

3. Old Business and Reports from Council/Committees

a) Building/Property Maintenance

Roger reported on the burst irrigation pipe incidents and three other water escape incidents over the past year. Water marks on the wall of unit HC 105 were reported and upon excavation outside this unit, a leak in the underground membrane was discovered. Removal of the soil going back quite a distance from the building was required in April and May to ensure that the source of the leak was properly remedied. Council approved an amount up to \$16,000 in emergency funds for this repair. This expenditure will be ratified later in the meeting since the money is to come from a reserve fund.

Additional landscape work will be done especially in front of Hampton Court to restore the lawn and shrub areas that suffered due to a lack of water after the burst irrigation pipe and membrane repair work.

b) Annual Building Envelope Inspection

The building envelope inspection will be done this fall focusing on areas that were noted in the last inspection, especially the fourth floor of Hampton Court and the lower floor patios. We expect a satisfactory report considering the dry summer.

c) Building Insurance

Gerry Gabel reported on the changes to our insurance coverage. He used the services of an insurance broker who asked for quotes from several companies, one being our incumbent insurer. All companies were made aware of the changes put in place in March to deal with leaking hot water tanks. Council also decided to go with a higher deductible on water damage to further lower the premium. The current insurer was reluctant to quote on a renewal but the broker was able to receive a good quote from a consortium of four insurers lead by the AXA Pacific Group. The current insurer (Royal Sun Alliance) was not willing to match their quote so Council decided to switch to the AXA Pacific Group consortium of insurers. The annual premium is \$28,303 compared to \$38,744, a saving of almost 30%. This saving will be reflected in lower strata fees this year.

4. Considering the Accounts

a) *Budget versus Actual Report for 2003/2004*

A set of financial statements was mailed to owners with the Notice of Meeting. Will Carter reviewed the actual versus budget numbers highlighting any large variances such as the Landscape Maintenance and Gas. He also noted the new item, Insurance Deductibles, which Council had decided to fund rather than make claims. Variances in expenses balanced out and the Strata came in under budget for the year, realizing a surplus of \$5,132 which will be carried over to the next year.

b) *Approval of the 2004/2005 Budget*

Will continued with a presentation of the 2004/2005 budget comparing it to the actual from the previous year. He noted that Assessments are down by about 8% due to the significant reduction in insurance premiums and other savings. There is also a 10% increase in Interest Income as our contingency funds grow in size. This means a reduction in strata fees for the current year.

On the expense side, Administration is up slightly. Insurance is much lower as noted earlier. Insurance Deductible is set at zero, assuming there will be no claims. Janitorial is up to match last year's actual expense. Landscape Maintenance was low last year due to deferred work during repairs but next year's budget was set to reflect extra work that will be needed. A small increase is anticipated in Elevator maintenance. Repairs and Maintenance is a difficult item to budget but the amount was set between last year's budget and actual. Recycling/Trash was left as before. Electricity will be up due to a rate increase and was set just above the actual expense. Gas was lower due to a decrease in consumption from the rooftop ventilators and the amount was set between last year's budget and actual. Water consumption was lower than last year's budget so the new budget was set a bit above the actual. Total operating expenses are budgeted at \$152,342 down from last year's actual of \$160,343.

Will referred owners to the Reserve Fund Report, which showed the funds flowing in (fees and interest) to our two contingency funds and the only expense being an engineering report paid by the Building Reserve Fund. In next year's budget, the portion of strata fees flowing to the contingency reserve funds will remain the same however the interest earned will be larger due to the growth in the accounts. Roger brought the owners attention to the report on the Time Line for the Replacement Reserve, which showed planned major expenditures for items such as carpet, the EnterPhone and roof over the next several years. He also commented on the Building Reserve Fund and the Long Range Plan for the Building Maintenance and Repair. The latest Engineer's report is still optimistic that we have seven to ten years of life in the building envelope. When the time comes for replacement, the Strata will have a sizeable Reserve Fund and will be able to borrow the balance to handle the replacement. An owner asked about the lifetime of the elevators considering we just had some problems. Roger reported that we had carried out some major maintenance work and the lifetime for our elevators is expected to be 50 years. There being no further discussion about the budget, it was moved by Anita Walper (HC 106), seconded by Donna Bishop (HC 104) that "The Strata approve the 2004/2005 budget as presented". The vote was 46 in favour and none opposed so the motion carried.

Roger requested that the owners ratify the payment of up to \$17,000 for the emergency membrane repair. Moved by Lil Wilson (HC 112), seconded by Margaret Taylor (HC 417) that "The Strata Council be authorized to take up to \$17,000 from the Building Reserve Fund to pay for repairs to the membrane". An owner questioned why this work wasn't done during the first membrane repair and Roger replied that this repair was much further away from the building, near the garage ventilation unit. A second question asked why we didn't replace the entire membrane to which Roger said that such a job would be too expensive and it was not justified. There being no further questions, the vote was called and there were 45 in favour and none opposed so the motion carried.

5. New Business

a) *Bylaw Amendments*

Roger reviewed the history associated with the underage resident of CP 306 (the daughter of the owner) which caused other residents in the building much grief and presented a difficult issue for the Strata Council. The person could not be removed and Council's only recourse was to issue fines and charge for repairs, the total for which exceeded \$10,000 after many months. The owner refused to pay the fines and repairs and rather than go through the delay and hassle of a court case, Council decided to negotiate with the owner to reduce the fines owing if the resident moved out and the unit was sold. Roger approached the owner through her lawyer (the resident's father) and negotiated a deal involving reducing the fines and repairs on the condition that the daughter move out and the unit be sold by certain specified dates. The owner agreed and resident did leave by May 1st and the unit has been sold. The Strata received the negotiated amount of arrears from the proceeds of the sale although it was about half the actual amount of the fines.

In dealing with this unfortunate matter, Council learned that it does not have the power to deal with situations such as this. Hence, Council is proposing a bylaw to prevent unsupervised minors from residing in a unit without proper supervision. The exact text of the Special Resolution (# 200408a) was mailed to owners along with the Notice of the Meeting. As such, the motion was put to a vote and there were 45 in favour and none opposed so the motion carried.

b) *Questions and Answers*

Roger opened the floor to questions from the owners. One person mentioned that the sprinklers don't appear to be operating so Roger made a note of that and will investigate. Another owner noted that the lawns don't appear to be getting enough water. Roger agreed stating that the problem was most prevalent between the two buildings where the sprinkler system was not adequately designed. We need more zones in some areas and fewer zones in others. Roger mentioned that quotes had been requested to improve the system but that he expected the cost to be rather large. A question was asked about security and video surveillance. Roger replied that since we had dealt with the problems related to CP 306, Council decided to hold off on any security enhancements. An owner asked about the status of the units whose owners were in large arrears since that was the main subject of the Special General Meeting in March. Will reported that one unit had been sold (HC 306), three had been turned over to our lawyer to seek a court ordered seizure and two owners had filed reasonable settlement plans to address their arrears. The question of stray cats was raised as an owner has noticed them around the building again. Chris Maze reported that he had helped trap and remove a cat, but the reoccurrence is a result of someone putting out food for the cats. Roger requested that residents do not do this as it just attracts stray cats and also vermin. Another owner asked if fireplace gas bills would be coming out again soon like last year. Roger replied saying the gas bills went out earlier this year and that residents often take a long time to return gas meter readings. There were no further questions.

6. Electing a New Strata Council

Will Carter conducted the election and indicated that from the existing Council members, the following have agreed to stand for re-election: Roger Taylor, Gerry Gabel, Don Gorby, Chris Maze, Mary Lou Newbold, and Darren Pears. After an appeal by Roger, Anita Walper (HC 106) volunteered to stand. There being no further volunteers, Donna Bishop (HC 104) moved that "Nominations cease", seconded by Lil Wilson (HC 114). All present were in favour and the motion carried. Hence the new Council was elected by acclamation and consists of Roger Taylor, Gerry Gabel, Don Gorby, Mary Lou Newbold, Chris Maze, Darren Pears and Anita Walper.

7. Adjournment

Anita Walper (HC 106) moved that "The meeting adjourn" and all were in favour with the meeting closing at 8:50 PM.