

MINUTES OF THE SPECIAL GENERAL MEETING OF THE OWNERS, STRATA PLAN LMS 2833, TRINITY PLACE, HELD ON THURSDAY, FEBRUARY 17, 2011, AT 7:00 PM IN THE AMENITY ROOM, 4TH FLOOR, 2490 WEST 2ND AVENUE, VANCOUVER, BC

CALL TO ORDER:

The meeting was called to order by the Strata Council President, Ms. Kim Sheldon, at 7:02 pm.

APPOINTMENT OF MEETING CHAIRPERSON:

It was

MOVED AND SECONDED:

That Mr. Carey Grandy of Strataco Management Ltd. be appointed meeting Chairperson.

MOTION CARRIED UNANIMOUSLY

CALLING OF THE ROLL AND CERTIFICATION OF PROXIES:

Mr. Grandy advised that subsequent to the calling of the roll and certification of proxies it had been determined that there were 23 owners present, 5 represented by proxy, for a total of 28 voting members. A quorum for the meeting consisted of 10 owners and the meeting was therefore quorated and competent to proceed with the business at hand.

FILING OF PROOF OF NOTICE OF MEETING:

The meeting Chairperson read into the record the notice of meeting sent to all registered strata lot owners in accordance with the requirements of the Strata Property Act, stating the date, time, place and purpose of the Annual General Meeting.

MINUTES OF THE MEETING OF JULY 8, 2010:

The minutes of the meeting of July 8, 2010 were adopted as distributed.

BUSINESS ARISING FROM THE MINUTES:

There was no business arising from the minutes.

NEW BUSINESS:

Mr. Grandy introduced a transmittal letter outlining the resolutions contained in the Special General Meeting package for the ownership's consideration.

Resolution A was then read into the record, and it was

MOVED AND SECONDED:

That:

WHEREAS The Strata Corporation has received reports from Dubas Engineering and RDH Building Engineering outlining the need of the Strata Corporation to undertake repairs to the building's exterior; and

WHEREAS The Strata Council having acknowledged the need to undertake repairs, recommended the acceptance of the findings and recommendations for repairs as submitted by RDH Building Engineering; and

WHEREAS The Strata Council recommends that the ownership acknowledge the findings of RDH Building Engineering and their recommendations for envelope repairs;

BE IT THEREFORE RESOLVED THAT The Owners, Strata Plan LMS 2833, hereby acknowledge receipt of the RDH Building Engineering building envelope condition assessment report of October 2010, and further acknowledge and accept the need of the Strata Corporation to effect repairs to its building exterior as outlined in the same RDH Building Engineering report.

There being no questions or discussion, question was called and the motion was

CARRIED UNANIMOUSLY

Resolution B was then read into the record, and it was

MOVED AND SECONDED:

That:

WHEREAS The Strata Council has obtained proposals to complete the preconstruction phase of building exterior repairs; and

WHEREAS RDH Building Engineering has submitted a proposal to complete preconstruction work; and

WHEREAS A budget in the amount of \$112,112.00 has been established for the preconstruction phase; and

WHEREAS The Strata Council recommends that this cost be paid for by way of a special levy of the ownership; and

WHEREAS The Strata Property Act of British Columbia establishes the manner by which the Strata Corporation may approve a special levy;

BE IT THEREFORE RESOLVED THAT The Owners, Strata Plan LMS 2833, hereby agree to the retention of RDH Building Engineering as the technical and engineering consultant to complete the preconstruction phase for building exterior repairs. RDH shall complete the development of the repair design, prepare construction documents, obtain and summarize repair proposals and other administrative functions that may be required. A budget of \$112,112.00 is established for the work. This cost shall be paid for by the approval of a special levy in the amount of \$112,112.00, due by the owners of record as at February 17, 2011, and payable in two equal installments on March 1 and April 1, 2011, as per unit entitlement and the attached schedule of special levy.

The floor was open for discussion.

An owner queried the cost discrepancy in the proposals from RDH Engineering and Trow Associates, and was informed that subsequent to discussions with references and an interview with Trow Associates, it appeared as though Trow Associates prices were below those of RDH as RDH allegedly utilizes the services of larger construction firms with increased overhead costs. It was noted that further to discussions with the Strata Council and the ownership, Trow Associates had confirmed that their proposal was to complete and implement the repair recommendations and areas of additional investigation outlined in the RDH Building Condition Assessment Report.

An owner related the comments provided to her by an individual in the building construction industry, noting that both firms were competent and capable of completing the job, but indicated that the proposed budgets can fluctuate with actual construction costs.

Strata Council member Mrs. Barbara Olson, advised that she had reviewed a reference provided by Trow Associates for a project recently completed, and indicated that the reference had been satisfied with the work completed by Trow. In particular, she noted that the project was completed under budget and that Trow had been responsive to owners concerns and had maintained positive lines of communication.

In response to a query from an owner, Mr. Grandy advised that should the ownership approve an engineering firm to proceed with the pre-construction phase of the building exterior repairs, the process would be as follows:

- Completion of additional investigation and testing as outlined in the RDH Building Condition Assessment Report
- Preparation of design drawings and specifications to complete a bid package to submit to contractors asked to bid on the repairs
- Holding of a bid meeting on site with requested contractors to introduce them to the project and answer any questions that may arise
- Review, summarize and provide a recommendation of the proposals received for the ownership's consideration.

This phase of the project would take approximately four (4) months. At which time the ownership would reconvene with the fixed contract price to review and vote on proceeding with completing the repairs to the building exterior as designed. At this time, it is impossible to provide a firm cost estimate for these repairs beyond the construction budgets proposed by the two consultants. If the ownership approved proceeding to the construction phase of repairs it is anticipated that construction would take approximately six to eight months to complete.

During this time, all or portions of the building may be subjected to scaffolding and hording to facilitate the repairs.

Question was called and the motion was

DEFEATED (0 in favour, 28 opposed, 0 abstentions)

Resolution C was then read into the record, and it was

MOVED AND SECONDED:

That:

WHEREAS The Strata Council has obtained proposals to complete the preconstruction phase of building exterior repairs; and

WHEREAS Trow Associates has submitted a proposal to complete preconstruction work; and

WHEREAS A budget in the amount of \$44,352.00 has been established for the preconstruction phase; and

WHEREAS The Strata Council recommends that this cost be paid for by way of a special levy of the ownership; and

WHEREAS The Strata Property Act of British Columbia establishes the manner by which the Strata Corporation may approve a special levy;

BE IT THEREFORE RESOLVED THAT The Owners, Strata Plan LMS 2833, hereby agree to the retention of Trow Associates as the technical and engineering consultant to complete the preconstruction phase for building exterior repairs. Trow shall complete the development of the repair design, prepare construction documents, obtain and summarize repair proposals and other administrative functions that may be required. A budget of \$44,352.00 is established for the work. This cost shall be paid for by the approval of a special levy in the amount of \$44,352.00, due by the owners of record as at February 17, 2011, and payable in two equal installments on March 1 and April 1, 2011, as per unit entitlement and the attached schedule of special levy.

There being no further questions or comments, question was called and the motion

CARRIED UNANIMOUSLY

Limited common property allocation resolution was then read into the record, and it was

MOVED AND SECONDED:

That:

WHEREAS The owners of strata lots 4 and 9 have expressed concerns with the size and accessibility of their parking stalls; and

WHEREAS The owners of strata lots were provided their parking stalls during original conveyance from the developer; and

WHEREAS The Strata Council is investigating the requirements to permanently reassign parking stalls; and

WHEREAS Section 76 of the Strata Property Act allows for the Strata Cooperation to provide temporary exclusive use of common property;

BE IT THEREFORE RESOLVED THAT The Owners, Strata Plan LMS 2833, hereby grant strata lot 4 permission to use parking stall 11 for a period not to exceed one year, and that parking stall 2 currently assigned to strata lot 4 may be used by the Strata Corporation during this period; and

BE IT FURTHER RESOLVED THAT The Owners, Strata Plan LMS 2833, hereby grant strata lot 9 permission to use parking stall 17 for a period not to exceed one year, and that parking stall 41 currently assigned to strata lot 9 may be used by the Strata Corporation during this period.

The floor was then open for discussion.

In response to a query from an owner, it was noted that the resolution allowed for a temporary assignment of two rental parking stalls to two owners in exchange for the Strata Corporation's use of their assigned parking stalls for a period not to exceed one year. The intention was to address the issues raised by two owners in a temporary fashion while the Strata Council reviewed more permanent recommendations to provide to the ownership. While this issue has been ongoing for a period of time, the Strata Council has had much of their time consumed with the building envelope repairs, noting that several interviews and information meetings have been held.

An owner queried who owned the Strata Corporation parking stalls, and whether they were subjected to a 99 year lease held by a third party. The owner produced a copy of a disclosure statement that had not been completed nor signed, which intimated that the parking stalls may be owned by another party. The Strata Manager advised that his was one of the problems in providing a final recommendation regarding parking stall allocation. Unfortunately, there were a number of disclosure statements present and it has been difficult to ascertain which were filed as the Strata Corporation's records are lacking.

An owner objected to the choice of parking stall for assignment, noting that it was located adjacent to hers and that this could cause her difficulties in accessing her parking stall. It was noted that it was not possible to change the parking stall in the resolution, as this resolution had been prepared and distributed to the ownership for voting at this Special General Meeting.

Mr. Grandy again reiterated that this was a temporary measure intended to provide some immediate resolution while the Strata Council completed their review of the parking stalls to provide a final recommendation to the ownership. This issue has been outstanding for an extended period of time with no resolution as past Councils and General Meetings have discussed potential of increasing rental stall rates, potentially selling rental stalls and to date no reasonable proposal has been completed.

Question was called and the motion was

CARRIED (19 in favour, 3 opposed, 5 abstentions (2 owners left the meeting prior to the vote))

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:08 pm.

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