

**CYPRESS POINT ABC
STRATA PLAN NW2050**

Strata Council Meeting
Wednesday, January 25, 2012

- | | | |
|--------------------|---|---|
| 1. PRESENT: | Gordon Farrell
Larry Makutra
Carole Borthwick
Corinne Inglis | Terry Ash
Aviva Levin
Muffet Chambers |
|--------------------|---|---|

REGRETS: Cheryl Jones

2. CALL TO ORDER:

3. ADOPTION OF MINUTES

- a. November 30, 2011 - Council approved.
- December 6, 2011 - Council approved.

4. COMMITTEE REPORTS

a. **Social** - No Report

b. **Grounds and Gardening**

- 1. Report from the Gardening Committee - No Report

c. **Fire & Security**

- 1. Fire Plan and Fire Marshals - The ongoing fire alarm problem in Building A, second floor south, has been determined and repaired. It was a ground fault in a second floor smoke detector that was responsible. *Council asked the Administrator to add the value of new fire panels for the three buildings to future budgets.*
- 2. Block Watch - On December 11th at 3:30 p.m. a Steveston resident contacted the Police stating two males came to her door saying they were part of Scouts Canada selling Starbucks coffee and were accepting debit as payment. The resident contacted both Scouts Canada and Starbucks who stated that this was not one of their fund raising initiatives. The two males were pulling a suitcase filled with coffee and had a portable debit machine with "Scouts Canada" on it.

Please be aware that these two men ARE NOT affiliated with either Scouts Canada or Starbucks. Richmond RCMP Crime Prevention Unit

3. Security - An owner noticed that an attempt to break into the bike locker in Building A occurred - likely during the last break in. As there is no handle on the inside door of the bike locker they were unable to get in. *The chain link fence will not be repaired as it does not affect the security of the bike locker.*

d. Maintenance

1. The water will be shut off in eight suites in Building C to allow Corona Plumbing to repair a leak in the laundry room on January 26, 2012. *Council discussed the purchase of an oversized washer and dryer as well as upgrading the old washers and dryers. Decision was deferred as council is not sure they would recover the expense.*
2. Lighting - changing Exit light fixtures to LED's as recommended to save on Hydro costs. *Council agreed to upgrade these fixtures as they burn out.*
3. Garbage is still being thrown into the large green cardboard bin in the buildings. *Council wish to agree on wording for the sign prior to producing formal signage. Administrator to check with the City of Richmond to see if they have recycling signage brochures in Mandarin or other language that we might use.*
4. Roof Top cedar decking requires replacement or repair. *The Administrator recommended a committee be formed to address all aspects of the rooftop deck issues. Gord will head the committee and will the owners who have volunteered their time to participate with him.*
 - Modify the Bylaws regarding rooftop decks? (How is it going to be financed - who would be responsible for paying for the decking materials and fencing?)- Remove wood decking
 - Remove all debris and clean all drains
 - Inspect roof by a qualified roofing inspector
 - Repair roof if required
 - Determine replacement decking and fencing to be installed
 - Hire an engineer if required.
 - Refer to Bylaw 5.1 a)

An owner shall repair and maintain his/her lot, including windows

and doors, and areas allocated to his/her exclusive use, and keep them in a state of good repair, reasonable wear and tear and damage specifically insured under the Strata Corporation, The Owners, Strata Plan NW2050 insurance policies excepted.

5. Plaza C Membrane - should be assessed. *Administrator to speak with RCH and a roofing company re Plaza C Membrane. Council asked the Administrator to put this item on a 'To Do' list.*

e. Shared Facilities - No business

5. NEW BUSINESS

Tony Gioventu advised the Strata Council to send a copy of the Read Jones Christoffersen letter to all rooftop deck owners as they face the same liability as the current suite with a 190% deck overload. *Gord to edit Tony Gioventu's letter and send to council for their final approval. Copy of Bylaw 5.6 e) and diagram to be attached.*

6. OLD BUSINESS

Remediation Project - Ocean West (OW) and Read Jones Christoffersen

- a. The scaffolding has been removed from both buildings A & C. A suite inspection was conducted on Tuesday, January 17, 2012 with the contractor and engineer and there are minor deficiencies in all suites requiring additional attention.

7. CORRESPONDENCE

Outgoing

- a. A letter and invoice from our Locksmith was sent to an owner who dropped their keys down the elevator shaft.
- b. A letter was sent to Canada Revenue Agency regarding the mandatory requirement for the Strata Corporation to file a tax return as a non profit organization. Our auditor will need to file this return on our behalf starting with the 2009 year end as our assets were over \$200,000.00 which is the criteria. It will need to be done every year from now on. *Council approved the filing of the tax returns for 2009, 2010 and 2011.*
- c. Letter sent to an owner, (with a copy of the engineering report from RJC) addressing planter loading, advising that their deck was **190% overloaded** and that **an assessment be undertaken to determine**

whether any permanent structural damage has occurred. This is the second engineering letter sent to this suite regarding deck overloading - the first letter was sent in October 2008 and a Bylaw governing this was adopted on December 10, 2009. RJC advise there was never any allowance made when the buildings were built, to accommodate roof top gardens or soil overburden in the design.

Incoming

- a. An email was received from an owner re rooftop decking as they are reaching end of life. They are suggesting we replace one rooftop deck area with the proposed rubber product as a pilot project so it can be evaluated. They recommend we proceed very soon. As an owner with a deck they ask: When? Who pays? And please do not do the work on the decks during the summer.
- b. Email received from an owner who is unhappy with the new signage installed in the elevators as they state it is too high. *Council asked the Administrator to move the current information to the top tier and any new postings will be placed in the bottom tier making it easier to read.*
- c. Email received from the Administrator asking for holidays between February 26 to March 11, 2012. *Approved.*
- d. Email and letter received from rooftop deck owner with 190% deck weight overload advising they have complied with RJC's letter. They further advise there was no criteria to be adhered to re weight levels on the roof top decks and no one can say what weight has been placed on the decks over the years. They do not feel a fine should have been levied against their suite for contravening Bylaw 5.6 e) as adopted on December 10, 2009. *Numerous complaints have been registered against this suite by owners, Cypress D residents and trades resulting in Bylaw infractions being issued. The Administrator advised that some Council members may need to declare a 'conflict of interest' and remove them self from the discussions and voting regarding this unit due to their personal relationship. The council members declared there was no conflict of interest and approved the reversal of a \$150.00 fine.*
- e. Email received from a concerned rooftop deck owner regarding the possibility of introducing Bylaws to place the cost of deck replacement upon a few owners. A copy of a BC Supreme Court Ruling was attached.

- f. Letter received from Read Jones Christoffersen regarding providing a structural assessment (to determine whether any permanent structural damage has occurred) of the 190% overloaded rooftop deck which they state should be carried out as soon as possible. The suite below will need to be accessed to view the ceiling and wall finishes for signs of deflection and movement. Two 12" holes would be cut into the ceiling to view the condition of the joist system. *Council deferred the assessment. The Administrator advised that should the structure fail, the Strata Council may be held personally liable along with the rooftop deck owner.*
- g. Letter received from Haddock & Company regarding mandatory Depreciation Reports that provide a two year window (deadline is December 13, 2013) for Strata Corporations to complete. The Form B is also affected by this new requirement.
- h. Letter received from Read Jones Christoffersen with their proposal to provide a depreciation report for Cypress Point in the amount of \$15,450.00 plus taxes. *Council want to know if they have a guideline from the government as to what will be involved. They also wanted to know how much notice would be needed and requested that they view a sample of what it would look like.*
- i. Email received from an owner regarding ongoing issues with marijuana smoke in their hallway at any time of day or night. The owner advises the problem is worse in warm weather when windows and skylight are open. *The Administrator believe the problem suite has been identified and is hopeful the problem will stop. Owners are to advise the office if the problem continues.*
- j. Email received from an owner extremely concerned by the ongoing disruptions, screaming and police intervention required re one suite in their building. *This situation has been turned over to legal counsel to pursue.*
- k. Letter received from RJC re load check of all remaining rooftop decks. There are three additional decks that have been identified with an overload of 70% to 80% and RJC recommend that the larger planter boxes be removed. RJC do not state that any of the remaining rooftop decks require a structural assessment due to overloading. *Council deferred the delivery of this letter to the problem suites. Council advised that they would personally carry out any future weight load inspections of the rooftop deck areas.*

8. FINANCIALS

- a. Accounts Receivable as of December 16, 2011 is \$17,686.92. *(This comprises mostly two suites in serious arrears).*
- b. Accounts Receivable as of January 17, 2012 is \$27,209.10
- c. Woodridge November SF statement has been received.
- d. Cypress November and December SF Financials have been issued.
- e. Approval of October & November and December financials with corrections to prepaid expenses and accrual line items. December financials have been received but not reviewed.
- f. The Payroll CA is asking if he can be reimbursed for designing an unsolicited invoice form for the Administrator. Value is \$100.00. *Council declined as the council president volunteered to design one free of charge if required.*

9. OTHER BUSINESS

- a. The Administrator is to proceed with all work in accordance with the approved budget? *Approved.*
- b. The Administrator is to continue enforcing the Bylaws? *Approved. However, the procedure that has been in place for the last 10 - 12 years is to be changed. The previous procedure was:*

1st violation - issue warning notice
2nd violation - issue warning notice
3rd violation - issue \$50.00 fine
4th violation - issue \$100.00 fine
5th violation - issue \$150.00 fine
6th violation - issue \$200.00 fine

The maximum fine as per the Strata Property Act is \$200.00. If a suite goes for a one year period without ongoing breaches of the Bylaws the slate is wiped clean.

The Strata Council advised that they would now decide whether or not a suite receives a fine or not. The Council President used the following example:

If a suite is continually responsible for creating alot of disturbance and noise - the council may fine that suite. However, if a suite is a responsible member of the

community who volunteers and helps out and accidentally breaches the bylaws - the council may decide not to fine that suite.

- c. Change date of Council Meeting night from Wednesday to another night? *Council approved staying with Wednesday night meetings.*
- d. Sprinkler system pipe to be replaced in the parkade. *Council asked for the Administrator to obtain a quote from Corona. Copper will not be used for this replacement.*

10. EMAIL VOTES

1. Tyax offered to clean off roof areas of debris and clean out all drains free of charge as they fell behind in the spring. Council approved.
2. Tony Gioventu advised the Strata Council to send out a copy of the RJC letter to all rooftop deck owners and provide the overload suite with 14 days to rectify the problem. No - 5 votes. Yes - Aviva and Cheryl.
Via email, the Administrator advised council that she was absolving herself of any and all liability associated with not adhering to the RJC and CHOA recommendations.

The Administrator advised council that by declining to proceed, the liability that would have been on the owner was now the liability of those council members who voted against acting on the recommendations of the professionals. Tony Gioventu of CHOA confirmed the transfer of liability to the Strata Council due to inaction.

3. Call an emergency Strata Council meeting. No - 6. Yes - 1
4. Second vote re sending letter to suite with overloaded deck with 30 day clause, subject to the Strata Corporations Bylaws. Yes - 5. Abstain - 2.

11. MEETING ADJOURNED: 10:00 PM

12. NEXT MEETING: February 22, 2012