

Commercial Council Meeting Tuesday, April 3rd, 2012

Present: John Davies, President
Keith Hyde, Vice President
Amanda Lu, Treasurer, (present for meeting at 12:10 pm)
Gene Cherneski, Director

Regrets:

1. Call to Order: 11:12 pm
2. Guests: Billy Yu, Magsen Realty Ltd
Francis Li, Magsen Realty Ltd.
David Benson, Owner (departed meeting at 1:00 pm)
Peter Morgan, Owner
Tony Lum, tenant representing AEBC B11 (departed at 1:45pm)
Volker Henning Ahlborn, Owner
Martha Welsh, Owner
Alan Davis, Building Manager
Simon Chan, Electra Accounting
Luc Bouliane, Minutes

Guests, Billy Yu and Francis Li from Magsen Realty Ltd gave a 15 minute presentation regarding their proposal to manage the Commercial and 'Main' Strata.

3. Review minutes of previous meetings.

Motion by Keith Hyde to approve the minutes of the commercial strata meetings of January 20th, 2012, February 17th, 2012 and the emergency commercial strata meetings of February 28th, 2012 and March 16th, 2012. Seconded by Gene Cherneski. Carried.

Review and approve financials.

Motion by Amanda to approve the February 2012 financials. Seconded by Gene Cherneski. Carried.

4. Treasurer's report: Financials

Amanda Lu stated that the financials are in good order and that we are currently under budget at \$49,742.75.

5. Update by David Benson re: HST

About a year ago, we became aware as a result of the insurance claims relating to the 2010 fire that we were required to be registered for HST.

We have provided voluntary disclosure to the Canada Revenue Agency (CRA).

CRA has indicated that we are to file GST/HST returns and apply for tax credits dating back from April 1st, 2008 to 2011. The returns must be filed with CRA by April 17th, 2012.

There will be a surplus of funds coming back to the Strata Commercial Section from CRA by way of tax credits. The Commercial Strata must collect GST/HST from the owners.

The Commercial Section now has an HST business number in place.

It was also noted by John Davies that the previous property manager, Bob Adams and his company Faciltech Property Management Ltd. advised the Commercial Strata that they did not need to collect or remit GST which created an issue with CRA.

6. Website and phone/fax line transition:

- a) After hours advanced call forward and call forward during business hours.

We have acquired the services of an after-hours calling service who will take non-emergency and emergency calls between 6:00 PM and 10:00 AM Monday to Friday and 24 hours on Saturday, Sunday and holidays.

- b) New contact phone numbers for Commercial Section

Our new commercial section business phone number is 604-669-6640. The new fax number is 604-669-6620 effective April 1st, 2012.

- c) Notices of these changes for owners and tenants will be posted in various areas in the commercial section as well as being posted on the new website for the commercial section

www.theelectracommercial.com. An email blast will be sent to owners.

d) Website

The new website for the Electra Commercial Section is www.theelectracommercial.com is now active on the Internet.

e) Letterhead

Producing the new Commercial Section business letterhead to reflect these recent changes is in progress.

7. Report from Gene RE: general review of major projects by the basement tenants.

- a) On March 29th, 2012 the annual maintenance on the cooling tower and chiller was performed successfully.
- b) Review of basement building code violations and report from the City of Vancouver is currently not complete.
- c) The elevator lift installed by A. E. Electronics to access the basement is illegal and has been shut down by the elevator Inspector. There is an ongoing investigation of all trades involved in the construction and installation of the elevator. Tony Lum indicated he has not received any report from the elevator inspector and has not received any further update from the inspector.
Mr. Hyde stated that the requirements of the City are needed to be met and Work Safe has to approve this.
- d) AEBC installed A/C Liebert type equipment in the basement which required special venting and we are awaiting a report from Work Safe BC.

Mr. Lum stated he called a second inspector to look at items regarding venting and 2 ½ inch pipe. He indicated that there was no shut down order.

Mr Cherneski disagreed with Mr. Tony Lum and stated that Council will wait for the report from Work Safe.

8. Review known current or pending AEBC renovations, installation or other projects.

Alan Davis indicated there was nothing else that he was aware of regarding the basement and if there is, he has not been made aware of it by AEBC.

Mr. Hyde asked Tony Lum if Glen Lum is the owner of AE Electronics or AEBC. Mr. Tony Lum stated that he was the owner.

Mr. Hyde stated that a letter is required by Council from the owner authorizing Tony Lum to represent the company AE Electronics.

Mr. Tony Lum stated Glen Lum is the President of AE Electronics.

Mr. Hyde stated the Council wants a formal declaration as to who are the owners of the companies and the strata lots in question.

Mr. Cherneski has requested AEBC to provide a letter clarifying ownership of the companies.

9. Status of Terrazzo repair and expected timelines.

Preparations are being made for the final slab pour which is expected within a week and half. This slab must cure for 30 days and the terrazzo can be put on top of the slab, weather permitting.

10. Report from John and/or Gene re. any relevant business from the 'main' strata council:

- a) RDH Envelope Report

Mr. Davies stated that Council has received an engineering report from RDH regarding the repair of the envelope. It is 2.3 million to complete and should be spread out over a 3 to 4 year period.

- b) Cummins Generator Report

The contractor who has been awarded the contract to supply and deliver the emergency generator is Cummins Western Canada. The anticipated delivery date is mid May. Quotations for installation are in progress.

11. Discuss Electra entrance mat for Hornby and Nelson entrances.

The cost to install Electra door mats is \$2672.00.

Motioned by Gene Cherneski to approve. Seconded by Keith Hyde. Carried.

12. Review and ratify fines.

Mr Hyde requested Mr. Tony Lum to provide proof that the Council had approved the destruction and removal of the chief engineer's panel. Mr. Lum indicated there was approval to remove and destroy as it is in the minutes. The removal was carried out by John Lum. John Lum received the info to destroy and remove the panel by way the wind and took it upon himself to remove the panel.

Peter Morgan indicated that his thinking was that the panel had value and contacted heritage professional committees to see if there was historical value. He could not find someone who was interested. He then brought in a photographer to take cropped serial photos of the panel as some of the dials were missing. The photo of the entire panel appears as if all the knobs and dials are on the panel. Mr. Davies indicated that the photographer took photos instead of Mr. Morgan preserving and retain the panel.

The owners had a stop work order on the removal of the panel. Mr. Davies indicated a conflict of interest occurred as a result.

Mr. Cherneski asked Mr. Lum why the master keys were not returned. Mr. Lums's response was not clear.

Mr. Hyde indicated having unauthorized keys is a safety issue and should be in possession of authorized contractors and Council. Locations such as the mechanical room (Titanic Room) can be dangerous. Owners should not have uncontrolled access to common/common property.

Mr. Lum indicated that the board was not following procedures regarding fines to his strata lots and should be reversed.

Mr. Lum spoke to Council regarding fines that had been accessed over the past few weeks. Following Mr. Lum's presentation, Mr. Davies asked if he could offer any evidence. The board indicated that it will consider his request and respond by the next board meeting.

13. Review quote for Washroom floors.

A quote was received for replacing flooring in two washrooms. Council noted the quote was received but a further two quotes are required due to the cost.

14. Review quote for DDC upgrades.

Control Solutions is to complete the upgrade work as bank, Pattison School and the commercial supply fan controls are not on the DDC system.

Mr. Davies indicated Council is tabling this for discussion at a later date.

15. Installation of Electric Hand Dryers.

Amanda Lu motioned to approve the purchase and the installation of five (5) electric hand dryers but that that the cost and the installation not exceed \$5000. Seconded by Gene Cherneski. Carried.

16. Review Insurance coverage for Jerry.

Amanda Lu motioned to accept and proceed using Sun Life or the least expensive plan presented to us. Seconded by Gene Cherneski. Carried.

17. Discuss report of basement owner and tenant's harassment of trades.

John Davies indicated that a trade's person was being harassed by Tony Lum regarding his temporary water connection during the cooling tower maintenance and calling a trade person at 11 pm. Mr. Davies came to the building and gave a verbal warning to Mr. Lum that harassment will not be tolerated. Trades should not be harassed and owner and tenants must go through the building management

18. Building Manager's Report:

- Hot water pipes:

The second of probably 4 phases of the commercial hot water pipes has been completed.

- Heating steam valve:

Elafon Mechanical has completed the replacement of the 1 inch heating steam valve with a slightly used and fully warranted 1 ½ inch valve. This should eliminate the problems of heating the commercial section in very cold weather.

- Lobby planter:

The building manager is waiting on the landscaper to schedule a day with a helper to empty the planter and determine the source of the leak and how much damage has occurred to the lobby floor.

- Retail ladies washroom toilet paper dispensers:

It appears that the problem of the toilet paper being stolen from the women's retail washroom has been rectified.

- Carpet repairs:

Strata lots 246 and 247

Thanks to the generosity of the owner of strata lot 246/247 who donated the carpet from her office to the commercial section. We were able to do much needed repairs on the common area hallways on the first and second floors and replace the carpet in one elevator.

19. New Business.

a) Mr. Davies noted that for the record, Peter Morgan has attended all regular strata meetings since the new Council was elected last year. In the majority of these meetings, Mr. Morgan has been disruptive often yelling at the President and other Directors. Mr Morgan, on several occasions in many meetings has used the term "bully" towards Mr. Davies. Mr. Morgan often talked out of line, often talking directly to a council member or guest rather than directing his comments and questions through the President. These actions often cause the meetings to run much longer than expected. We have had complaints from owners surrounding the board room about noise.

b) Repairs to the titanic room. A quote has been received to close the holes at either end of unit B17 between B16 and the mechanical room.

c) The commercial section does not have sole control of the fob system.

AEBC also has access to it and therefore we have no control over what access they give themselves or their tenants.

A letter will be sent to AE Electronics advising them to transfer the fob system to commercial property.

20. Adjourned: The regular commercial strata meeting adjourned at 2:15 pm.

21. In Camera Meeting:

