

DRAFT 1.04

COMMERCIAL COUNCIL MEETING January 20, 2012 - DRAFT MINUTES

Present: John Davies, President
Keith Hyde, Vice-President
Amanda Lu, Treasurer
Gene Cherneski, Director

Regrets:

Guests: Alan Davis, Building Manager
Peter Morgan
Simon Chan
David Benson

1. Call to order: meeting was called to order at 11: 11 AM by Mr. Davies, President and Chair who declared a quorum.
2. Guests: Peter Morgan

Mr. Morgan indicated that Mr. Cherneski is not a strata lot owner in LMS 1866 commercial and according to his interpretation of the Strata Property Act, an investigation is to be conducted to determine if this is the case. If Mr. Cherneski is not an owner, he cannot sit on the board and must resign.

Mr. Cherneski replied by stating that a letter was given to the Commercial Council indicating that his spouses corporation is the owner and it authorizes him to be the representative pertaining to the strata lot.

Mr. Morgan was asked who he was representing at this Council meeting. Mr. Morgan replied that he was representing Morgan News Letters.

3. Review of meeting minutes as follows:

Commercial Strata Meeting December 14, 2011.

Mr. Morgan opened a discussion on item #8 of the December 14th minutes, AEBC current projects. He indicated that the approval of installing a wall in unit B17 was approved by his council and not by him alone according to his recollection. Amanda Lu had no recollection of this. The building manager will review his records to determine if any permits were provided.

Motion by Keith Hyde to approve amended minutes with edits by Amanda Lu. Seconded by Gene Cherneski. Carried.

4. Includes items 5,6,7,8, and 9 from the agenda.
Treasurer's report: financials:

- i. Review and approve financials from prior meetings
Simon indicated that in the first nine months of 2011 there was a surplus of \$36,376.58.
-last meeting with the auditor regarding depreciation at the end of 2011.

Motion to approve financials by Amanda Lu. Second by Keith.

Carried.

- ii. Cell phone plan for Alan and Jerry.
Jerry's voice plan tended to go over the allotted minutes. The plan has been changed with unlimited calling after 6 PM. Management will review plans and alter to make them as economical as possible.
- iii. CRF and special projects funds

Special projects funds moved to the CRF/special levy account.

John Davies indicated the special project fund should be a separate account as it may not be compliant with the SPA.

Motion by Keith Hyde to open a new account subject to that it is stated in the strata property act and should also be in place within the next three weeks by February 15.

- iv. HST registration and filing.

John Davies indicated that the commercial section is collecting HST from owners which is sitting in the trust fund account and has not been paid to Canada Revenue Agency.

David Benson indicated that he will obtain an HST number from CRA. He also indicated that Riley was asked why we have not been given a HST number. Riley confirms that we

could register an HST number on our own as long as we carbon copied the records to him.

It was also indicated that one owner will not pay the HST as Strata Commercial does not have HST number currently.

Motion by Keith Hyde to contract David Benson to handle the registration of the HST # for LMS 1866 commercial and cc Riley Burke with copies and then provide this information to Simon Chan.

Simon will remit delinquent dollars up to December 31, 2011 to the CRA. Seconded by Gene Cherneski. Carried.

Peter Morgan indicated that CRA will give us an HST number and not the other way around.

- v. Invoices review and approval, procedures ie. Purchase orders, GlassPro.

Regarding payment of invoices, Amanda Lu suggested the signature first on invoices authorized by John Davies or Alan Davis before paying and issuing a cheque.

There was discussion regarding issuing purchase orders. David Benson indicated that purchase orders were not efficient for smaller offices. He suggested it was good idea to document in detail so that owners could not criticize the invoices.

Keith Hyde suggested a rubber stamp indicating details of work done, approved and signature as part of the policy and that contractors should be issuing invoices in a timely manner. (No motion required)

There was no motion on this as these were items of discussion.

Invoices – Alan reported that he had spent two hours reviewing the GlassPro invoice. It was found to be very detailed and accurate . All tasks had been ordered by building management.

Amanda suggested that there should be more detail on invoices from contractors, for example Jamie Bleay.

Peter Morgan indicated that under section 32 part 1 and 2 of the Strata Property Act states that John Davies is in violation as he is in direct conflict RE: any discussion concerning GlassPro

John Davies excused himself from the meeting at 12:10 PM

The chair was then transferred to Keith Hyde.

Alan reaffirmed that he had reviewed the Glass Pro invoices and is satisfied all the items are legitimate and acceptable. The Treasurer confirmed that the item was budgeted for in the current budget. Motion by Keith Hyde that payment be authorized to pay Glass Pro over a four-month period. Seconded by Amanda Lu. Carried.

John Davies returned to the meeting at 12:15 PM and the chair was returned to him.

10. Report from Gene Cherneski regarding Cobalt Engineering and a general review of major projects by the basement tenant:

Gene Cherneski asked Peter Morgan to pass the information on to John Davies on December 23 regarding Cobalt Engineering asking not to proceed with work as there was a new Council. Gene met with Cobalt on mid-January 2012.

Simon Chan indicated \$1180.48 was paid and reimbursed to the Commercial Section by AEBC.

Another bill for \$1259.44 was received by Gene Cherneski. There were some errors on it that were corrected and then it was submitted to Simon.

Gene indicated that the previous Council was asked to oversee the work and assist in formulating an operating agreement.

Peter Morgan was asked by Gene to talk to John Davies regarding this matter but to no avail. Cobalt stated that they were to be advised to proceed with the work by the previous Council.

Gene indicated the first invoice was promptly paid. The second invoice will be corrected and reimbursement will come from AEBC. No further work is to be done in future

Keith asked about AEBC regarding any further work being done at this time. Alan Davis indicated that he is not aware of any further work being done.

David Benson excused himself from the meeting at 11:36 AM.

11. Status of website/URL reclamation. Acquisition of new domain.

The Commercial Council has obtained a new domain name from which a new website will be created. The domain name is www.theelectracommercial.com. The new website is to be developed.

Motion to approve the new domain name and a preliminary budget of \$1000 to develop the website. Alan/Luc are to get information on dollar amount hosting by February 15, site launched and owners notified. The Residential Section will be asked for the contact information of the person who recently re-designed the Residential website.

Motion that the Commercial Section formalize the website ownership from president to president so that there is no website hostage.

The reason for acquiring the new website is because the owners of the current domain name theelectra.net will not relinquish it.

Both motions above by Keith Hyde. Seconded by Amanda Lu. Carried.

12. AEBC current projects:

This was discussed in item 10

13. Status of terrazzo repair and expected timelines.

Keith Hyde asked about the repairs to the slab and terrazzo. The estimated costs have not been approved by the adjuster.

Peter Morgan had a meeting with Nicole of RJC, Christian of Matra Construction and Steve Hansen. At this meeting all was approved, who is in charge and was to be completed by 2011. All was agreed to one week later. Bill Gould, the terrazzo man said that City Council would not approve of the color. Matra Construction was going to put the metal slats in so the repairs would look seamless. The Terrazzo company could not get the color of stone and couldn't find the metal slats. All was approved to proceed with the work. Alan indicated Hansen had not approved this.

John Davies indicated Martin Jones – Onside Restoration is still owed \$50,000 Onside Restoration is dealing with the insurance companies adjuster Steve Hansen.

PHH ARC: Tim Peters, The Council for the Strata Corporation, informed us that PHH is suing us because our insurance won't pay their entire bill.

It is understood that the amount owed is about \$22,000.

14. Nelson Street planters:

John Davies asked Alan Davis to talk to CG landscaping, and ask about landscaping on the Nelson side.

15. Report from John and/or Gene regarding the relevant business from the main strata council.

i. Gene asked about the curtain wall re-RDH work on the tower can be better executed. More information at a later date.

ii. Gene - The fire system – installation is in progress

iii. Gene - regarding hiring a property management company. Indicated that we should prepare a proposal and a letter of expressed interest for the Commercial Section and possibly the Strata Corporation

iv. Gene also asked about master key access to the building as some people have master keys.

A key audit is to be done

16. Answering service and new phone number for the Commercial office:

Luc will obtain a new phone number for the commercial Section from Telus and obtain a quote for an answering service. There is also a request for an accounting phone line and fax number for Simon.

17. Fingerprint and fob readers attached to Common Commercial property, basement level.

Complaints have been received about fingerprint readers being attached to common property in the basement. John Davies indicated AEBC is using common area walls to install finger print readers.

Motion by John Davies was stated as a complaint that the common area walls be restored to their original condition regarding the finger print readers and a request to return to the original state. The basement was one owner previously but now there are various owners and tenants and the basement should now meet the look of the rest of the building.

Motion by Keith Hyde that the owners should conform. He will draft a letter.

18. Request from 985 Hornby for window renovation.

To be reviewed by Council and issue a letter of comfort providing the renovation conforms to the standards of the exterior of the building.

19. Building managers report:

- washroom repair Pattison School – a quote has been received, discussion tabled
- Retail washroom colors. Motion by Keith Hyde to approve the paint colors for the common area retail bathrooms. Seconded by John Davies. Approved.
- Heating steam valve. A quote was received by Elafon Mechanical for \$1800 + HST. Motion to approve by Keith Hyde. Seconded by Gene. Carried.
- Pattison hand dryers – tabled.

Amanda Lu excused herself from the meeting so the board could discuss the common area bathrooms adjacent to Pattison high School.

Motion by Keith Hyde to ratify the previously approved \$5500 for the replacement of the common area toilets in Pattison High School. Gene seconded. Carried

In accordance with the SPA and as approved by legal council an operating agreement has been entered into with Amanda Lu and Pattison high School with regards to the Common Commercial washrooms in Pattison School

Amanda Lu rejoined the meeting

- Box for newspapers at 970 entrance. John Davies indicated that it is not needed. Keith indicated that it create a garbage problem.
- Retail ladies washroom toilet paper dispensers. The board directed Luc and Alan - letter to retail owners, tenants and clients re any info about toilet paper thefts that have been happening recently. At times the toilet paper dispensers have been completely empty.

Cameras. We still do not have direct access to the cameras on the computers in the security room.

Motion by Gene to bring in a security consultant to assess the camera system and make recommendations. Budget is set at \$1000 or less. Seconded by Keith Carried.

20. Basement elevator lobby-furniture and signage. Discussion was tabled.

21. Form Ks required from all basement level tenants.

Alan to check with Simon whether he has any Form K's and to get Form K's or send a letter to owners to submit them.

22. Building managers hours: Alan confirmed that the hours are 10 AM to 6 PM Monday to Friday except holidays.

23. New business:

Gene Cherneski opened discussion regarding the holes in the walls in B17. The safety rating has been eliminated because of the holes and the walls no longer meet the fire code. This is a critical matter.

Peter Morgan indicated that the cinder block hole was approved in the spring by Council. However, there is no record of any approval by any council.

Motion by Gene Cherneski to reinstate the wall in B-17 and the mechanical room and ensure it meets city building code and rating. John Davies questioned whether a building permit was needed to reinstate the wall.

Motion by Gene Cherneski to contract or to assess and quote to restore these areas and ensure that they conform to the City of Vancouver bylaws and ratings.

Seconded by Keith Hyde. Carried.

Keith Hyde asked Peter Morgan if he could send a copy of the audio of today's meeting to council as it was being recorded. Mr Morgan indicated he would do so by internet sound bite.

Meeting adjourned at 2:30 PM.