

# Minutes of the Meeting of the Board of Directors for Chaparral Estates October 22, 2009 – Unit #35

## **CALL TO ORDER:**

Meeting called to order by Donn at 6:05 pm.

## **ATTENDANCE:**

In attendance: Donn Lang, Lorna Romaniuk, Jim Carroll, Mechtild Foelling, Wanda Olson, Joanne Serjeant, Tia Melnechenko.

On behalf of Montgomery Ross ("MR"): Tracy Harris.

## **MINUTES:**

Minutes of the August 14, 2009 meeting and minutes of emergency meeting on September 22, 2009 have been approved.

## **NEW BOARD MEMBER:**

The Board welcomes Joanne Serjeant, Unit #33, and looks forward to working with Joanne to improve our community.

## **UNIT #27:**

Rhonda McKinnon, owner of Unit #27, presented to the Board her case in regards to the outstanding \$1,200.00 Magicclean bill from the December 2008 water incident involving Units #27 and #29.

Events are as follows:

- On December 1, 2008 Rhonda observed large amounts of water in her finished basement. Immediately she contacted MR to report it.
- After investigating where the water was originating from Unit #27 discovered that the outside back water tap of Unit #29 was running, full blast, for 10 days and had flooded the entire backyard along with her basement.
- The boyfriend of the owner of Unit #29 arrived shortly thereafter. Rhonda and the boyfriend proceeded into Unit #29, which is rented, and discovered that the unfinished basement of Unit #29 had not suffered any water damage at all.
- It was agreed at that point between the boyfriend and Rhonda that the responsibility of the water damage to Unit #27 fell on Unit #29, specifically the renters.
- The owner of Unit #29, Nicole, agreed to file an insurance claim to pay for damages incurred to the finished basement of Unit #27.
- The claim was filed but ultimately the insurance claim was rejected by the insurance carrier of Unit #29 as, in their investigation, it could not be determined the result of the water damage in Unit #27 was a direct result of the tap running full blast in the back yard of Unit #29 for 10 days.
- Unit #27's insurance carrier also refused to cover the expenses of the water damage.
- Rhonda decided to repair the damage at her own cost to resolve the issue.
- It was not until August 2009 when Rhonda had received an offer to purchase her unit and requested from MR and received approved Board minutes that she discovered the outstanding \$1,200.00 invoice from Magicclean for the clean-up on December 1, 2008.
- The offer to purchase was withdrawn for several reasons. 1. The outstanding invoice of \$1,200.00 and; 2. The mention in the Board minutes that there may be a drainage issue in the area of Unit #27 and #29.
- The same renter still occupies Unit #29.

Rhonda appealed to the Board to have the invoice applied to the unit responsible for the water damage and investigate whether there is a drainage issue along her unit.

The Board discussed and agreed to the following:

1. Although the Board sympathizes with Rhonda the matter of the outstanding invoice of \$1,200.00 does belong to Unit #27. Tracey Harris has agreed to mediate between Units #27 and #29 to resolve the

issue. However, if mediation is unsuccessful the Board encourages Rhonda to settle the matter in civil court.

2. The Board has instructed MR to arrange the Corporation's insurance agents to investigate whether there is a drainage issue in the area of Unit #27 or #29. Additionally a water test will be conducted to determine whether there is a foundation issue in Unit #27 or #29.

**UNIT #4:**

The cat at large originating from Unit #4 has been restrained from roaming.

**UNIT #15:**

MR will forward a letter to Unit #15 for the damaged grass on the side of the drive-way as a direct result of careless parking and for excessive noise.

**UNIT #23:**

There are at least two (2) cats residing at Unit #23. MR will forward a letter to the owner requesting the cats be registered.

Also the owner will be notified that garbage being placed on the front step is against by-laws. All garbage must be disposed of in the supplied garbage bins.

**UNIT #31:**

It has been noted that the garage door has been replaced. There are still concerns regarding the excessive dog barking however the Board does recognize significant improvement made. The Board will monitor the situation and follow-up accordingly should there be any further complaints.

**UNIT #37:**

It was discovered that there was an error in the approval letter MR forward to the owner for the satellite dish. The letter did not mention that the satellite dish could only be installed on the small roof above the window in the back of the unit which as a result the dish was installed on the main roof of the building. The letter did however mention that should any damage result from the installation the owner would be responsible. The Board ultimately decided to allow the installation so further costs are not incurred by the owner to have the dish relocated.

**UNIT #38:**

Jim has removed the offending satellite post. Jim will arrange to provide MR an invoice of the time required to remove the post which will be forwarded to the owner for payment.

**UNIT #39:**

There have been complaints of excessive dog barking from Unit #39. Jim will contact the owner complaining to contact MR so action can be taken.

**UNIT #49:**

In regards to the grease fire Unit #49 suffered, MR will follow-up with the Corporation's insurance agent to ensure the repairs are completed.

**UNIT #64:**

The decorative rock issue is deferred until spring.

**UNIT #84:**

MR will follow-up with Mountain Waterproofing to determine whether the window well of Unit #84 was inspected for foundation cracks around or in the back window well.

**UNIT #86:**

Jim Carroll motioned that the Board approve the repair of the basement of Unit #86 to the same condition it was in prior to the water damaged as a result of the foundation cracks. The repair is limited to the basement bedroom area where the damage occurred. The Corporation will reimburse the repair/replacement of:

- Studs

- Insulation
- Vapor barrier
- Drywall
- Carpet, underlay – to the square footage of the bedroom only
- Baseboards
- Two (2) bi-fold doors

It is agreed the owner will incur the cost to repaint.

Tia Melnechenko seconded. Motion passed

**UNIT #93:**

Jim has agreed to install the elbow and downspout to the front of the Unit #93. Also Abacus will be completing the repair of the siding from the last wind storm next week.

**RESERVE FUND STUDY:**

Donn Lang moved that Manicore Engineering be approved to complete the Reserve Fund Study. Wanda seconded. Motion passed. MR will contact Manicore to proceed.

It was also requested that the Reserve Fund Study remove the requirement to replace doors and windows as the by-laws indicate this is an owners' responsibility. Special attention is to be given to the asphalt and pine roof.

**BUDGET:**

Wanda Olson moved that the budget provided by MR be approved and the condominium fees be increased from \$208.00/month to \$220.00/month which is a 5.4% increase. Jim Carroll seconded. Motion passed.

**AMMENDMENTS TO BY-LAWS:**

MR suggested Chaparral Estates amend the by-laws to include a "Betterments and Improvements" clause. This would enable any improvements in a unit be covered under the Corporation's insurance coverage. For example, the basement repair for Unit #86 could have been claimed under insurance if this clause was included. This will protect the Corporation against future damage relating to a corporate expense. MR will present to the Board all necessary information at the next meeting to implement this.

**CONCRETE STEPS & APPROACHES:**

Tia advised the Board that acrylic sealant was only applied to the steps that had the Planitop XS applied and not all steps and approaches. The reason is it was determined that Planitop XS could not be applied to concrete on top of the acrylic sealant. The Board will determine in the spring which steps and approaches need Planitop XS and sealant and which need just the sealant. The Board also recognizes the steps and approaches that were treated this year with Planitop XS will require another application of acrylic sealant.

**SIDING REPAIR:**

Seven (7) owners received invoices from Ababus regarding the siding repair from barbeque damage. The owners involved were extremely angry. It was determined that the owners may not have received prior notification the repairs were being completed. MR will actively start recovering the costs from the owners beginning November 1, 2009 so that a significant grace period can lapse.

**BILLING:**

Tia Melnechenko presented a bill in the amount of \$31.48 to the Board for the purchase of 500 ladybugs that were released in the complex in late spring/early summer. The release of the ladybugs seems to have been a success.

Leslie Thomson presented her costs incurred for maintenance of the front flower bed. With labor and materials her invoices totaled to \$1,070.35.

Jim Carroll motioned that the expenses be paid. Wanda Olson approved. Motion passed

**EAST FENCE:**

Jim repaired the east fence where it was discovered there had been some damage.

**PARKING:**

It was agreed that owners parking in visitor's parking is becoming an issue. Part of the issue is the yellow lines defining the stalls are not clearly indicated. MR will instruct Explosive Landscaping to repaint the lines after the spring clean-up is completed.

Joanne has agreed to monitor the west facing inside visitor's parking which is visible from her vantage point. The process in which to deal with the continuous abuse of owners parking in visitor parking is to issue 2 violation notices and to tow the offending vehicle on the third offense. Lorna will include in the next newsletter that any vehicle parked in visitor's parking more than 3 evening per week is not considered a visitor and any long term parking visitor, i.e. out-of-town guests, need to be registered via the Board email address – [ChaparralEstates@shaw.ca](mailto:ChaparralEstates@shaw.ca) that will include a starting and ending date of parking needed.

MR has been instructed to add Joanne's name to the authorized representatives with Calgary Parking Authority. Tia will arrange to deliver to Joanne parking violation notices and Calgary Parking Authority towing forms.

**PAVEMENT/ASHPHALT:**

This issue will be deferred until the 2010 spring walk about.

**FIREPLACE LETTERS:**

MR confirmed that the letters regarding the fireplace and vents have been sent to the owners.

**NUMBERS PROJECT:**

MR confirmed that Picasso will be installing the new numbers and back plastic plates. The quote contained an unusual description of services which MR will investigate and report back to the Board before the work begins. The Board agreed to vote on continuing this project via email to expedite the progress.

**DEAD TREE REMOVAL AND LANDSCAPING:**

April was cancelled this year for spraying and trimming. It was decided the Board will contact her next year for spraying. The Board is pleased with the work Jim has done in trimming the trees and bushes. Jim has agreed to continue trimming the trees and bushes as required.

Explosive Landscaping has done a satisfactory job with the grass this summer. It was indicated that during the spring 2010 walk about more attention be given to pointing out the flower/tree beds that require attention by Explosive, specifically the front west beds on the other side of the wall.

**RENTER SIGNS:**

It was discussed that the Board can not deter the placement of "For Rent" signs on the grass area in front of the community. However the Board will not allow "For Rent" signs to be displayed on Chaparral Estates property.

**SINGLE POINT OF CONTACT (SPOC):**

In an effort to cut down on the amount of emails between Board members and MR Tia Melnechenko has been appointed as SPOC for Chaparral Estates. This position will work closely with the MR Representative to effectively communicate between the Board and MR. SPOC and the MR Representative will teleconference as required, initially weekly, to ensure effective communication and see through the completion of projects. The SPOC will then communicate/disseminate with Board members and collectively submit responses to MR.

**GARBAGE:**

It was noted that in the next newsletter a request be made to all owners that any garbage dropped into the garbage bins actually make it inside the bin. Also, ensure that inappropriate items, i.e. propane tanks, not be left in the garbage area.

**MANAGEMENT CONTRACT:**

The Board is waiting for a response from Vicci O'Brien in regards to a letter sent to MR on behalf of the Board requesting extending the management contract for six (6) months instead of the normal twelve (12) months. The shorter time frame is being requested in hopes of previous working issues, i.e. projects not being completed, lack of communication, etc., to be dealt with.

Also the Board has requested a written apology be sent to Donn and Dari Lang from MR in regards to the handling of the basement/foundations issues of Unit #86.

**NEXT MEETING:**

Thursday, December 3, 2009, at 6:30 pm. Unit #70 (Mechtild's)

**ADJOURNMENT:**

Wanda Olson moved that the meeting be adjourned at 8:35 pm. Mechtild Foelling seconded. Motion carried.