



MINUTES OF THE ANNUAL GENERAL MEETING FOR THE SONOMA PINES HOMEOWNERS ASSOCIATION (SPHOA) HELD ON MAY 29TH, 2014 AT 7:00 PM AT RAMADA INN 2170 HARVEY AVENUE, KELOWNA, B.C

CALL TO ORDER - R. Zivkovic, Property Manager, welcomed the owners to the Annual General Meeting and called the meeting to order at 7:00 P.M.

PROOF OF ATTENDANCE - Proxies and corporate representatives were certified and voting cards were issued upon signing in. There were a total of 207 eligible voters, 121 of which were by proxy, thus a quorum was established.

PROOF OF NOTICE – R. Zivkovic confirmed that the notice of the AGM was distributed to owners. It was moved and seconded to approve the 2014 annual general meeting proof of notice; motion carried.

ELECTION OF CHAIRPERSON – It was moved and seconded to have Robert T. Zivkovic chair the meeting; motion carried.

APPROVAL OF AGENDA – R. Zivkovic outlined the order of business and items on the agenda. It was moved and seconded to approve the agenda as distributed; motion carried.

INTRODUCTION OF THE HEAD TABLE – R. Zivkovic introduced himself along with self-introductions taking place of the SPHOA & SPMFA Council members.

APPROVAL OF MINUTES – It was moved and seconded to approve the annual general meeting minutes of May 28th, 2013 and the special general meeting minutes held on October 7th, 2013. It was further moved and seconded to amend the special general meeting minutes to reflect 172 eligible voters present; motion defeated. The motion to approve both the annual and special general meeting minutes as presented carried.

REPORTS

A Waste Management Ltd. Representative presented to owners a proposal that would create an automated waste bin service. The proposal would require owners to rent the bins at a \$1.00/month/unit thereby increasing expenses to the HOA to approximately \$5000/year. The floor was open for general discussions. Concerns were raised of the size of the bins and the cost should be discounted in return of streamlining the waste removal process for Waste Management Ltd. In conclusion the general ownership was satisfied with the current waste removal process of using garbage bags. Council was not given any direction to pursue, further, the proposal of automating the waste removal service.



CHAIRMAN'S REPORT (T. McEwen)

Accomplishments of your 2013 2014 Board of Directors

Good Evening everyone and welcome to your 2014 Annual General Meeting. My name is Tom McEwen and I am your current chairperson and have been for 2yrs. and previous to that a member of Council.

Our Property Management Company APM and property Manager is Robert Zivkovic. I had the privilege of working very closely with Rob to help manage our community needs and activities.

Rob, has been instrumental in sharing his expertise with the Sonoma Pines community including the execution of contracts to ensure they meet community expectations, preparation of reports for council and the residents of Sonoma Pines plus handling of questions from the community. Well done Rob and glad to have you on the team.

Council's accomplishments throughout 2013- 2014:

First order of business:

- To work with the developer to build out the basement of the clubhouse and transition the space to a functional gym, meeting and multi-purpose rooms.

2nd RV Lot

- On October 7, 2013 a special AGM was scheduled to approve the proposed resolution on the 2nd RV lot lease arrangement. A ballot vote was conducted.
- The motion was defeated 63 in favor, 123 opposed.
- FYI, Currently a second RV lot is under construction and scheduled to be finished in June 2014. This RV Lot is owned by Carrington Holdings and Managed by APM. Council has no control over rental rates or management of the facility.
- Council and the support and managed by APM, approved a resident handyman for the community to perform site inspections, follow up on alteration approvals and perform fence painting and repairs as necessary.
- Clubhouse Sustainability

A fully developed Club House for your personal use. The club house has proven to be an asset that is generating revenue from rentals, advertising, garage sales, 50/50 draws, fundraisers. The Club House is serving its purpose as a social point for events such Happy Hour, News Years, Grey Cup. Our first Sonoma Pines Golf Tournament, sponsored by Budget Blinds (owners Marlene and Bob Waterfield) made it possible to purchase equipment for our



fitness facility, which has proven to be an important component for our community and residents.

All of these efforts have generated financial contributions from the Clubhouse of over \$16,000.00

- Doggy Doo stations

The installation of 3 doggy doo stations has proven effective in keeping our community clean.

- Landscaping

We continue to work closely with United to improve our weekly landscaping services recognizing that this is one of the largest budget items for the community. Through these efforts and feedback, has reduced complaints by over 80%. A very good improvement by all those involved.

Council through APM have recently established contact with a vendor to perform scheduled tree and shrub maintenance, inclusive of spraying and pruning of all trees in Sonoma Pines. An inventory will be performed in conjunction with the vendor maintenance program implemented to ensure trees and shrubs provide maximum life. Cost for these services is to be determined; tree and Shrub maintenance to be performed over a couple of years.

In closing, the current council have made many excellent strides and maintained open lines of communication with, residents, our contractors, our developer with the best intentions of community on the forefront. . Again many thanks to all the volunteers I have worked with to make our community a better place to live and be proud of. At this time in our lives, my wife and I wish to travel and therefore I am not seeking re-election to Council. In other words time to pass the baton...

I have enjoyed my years as a volunteer on council and would like to thank all residents for their support.

Thank you, Tom McEwen

RATIFY RULES

#1 – Majority Vote Resolution – Clubhouse Rules and Regulations

BE IT RESOLVED as a majority vote resolution of the Sonoma Pines Home Owners Association, approve the following rules:



Clubhouse Rules and Regulations

Section 1. Purpose of the Clubhouse

The main purpose of the Clubhouse is to provide a facility to serve and fulfill social and recreational needs of Sonoma Pines residents. It will also be used for communication purposes within Sonoma Pines including meetings and activities for the Sonoma Pines Home Owners Association ("SPHOA"), the Sonoma Pines Council, and any designated Sonoma Pines Committee.

Section 2. Terms Used

- a. Homeowner: A Homeowner is a person over the age of 18 that is identified as a Lessee in a Sonoma Pines property Sublease Agreement.
- b. Tenant: A Tenant is a person over the age of 18 that rents a home in Sonoma Pines and whose name is identified on the Homeowner's Tenancy Agreement and provided to the SPHOA's property manager.
- c. Resident: A Resident is a person over the age of 18 that lives in Sonoma Pines. A Resident includes Homeowners, people that live in Sonoma Pines with a Homeowner and Tenants of a Homeowner.
- d. Minor: Anyone under the age of 19.
- e. Booking Agent: A Sonoma Pines Resident is designated by the Social Committee to accept bookings of the Sonoma Pines Clubhouse.

Section 3. Clubhouse Access Requirements

Use of the Clubhouse is a privilege and is to be shared amongst all Residents. In turn, Residents share the responsibility to maintain this facility to a standard that can be enjoyed by all while using the facility including the responsibility to leave it neat, clean and tidy, and treating it as you would your own property. Any Resident found abusing this clubhouse privilege will have their key fob deactivated.

- a. Quiet Hours: The right to peaceful enjoyment by all Residents living in the vicinity of the Clubhouse must be respected and therefore quiet hours for the Clubhouse will be from midnight 11 pm to 5:30 a.m. with no exceptions.
- b. Maximum Occupancy: The maximum number of people allowed at a clubhouse function held upstairs including the main entertainment area, dining room and games room, is 80. The total number allowed in the Clubhouse at any one time is 133 (as per Fire Marshall Regulations)
- c. Security and Access: A Homeowner must purchase a key fob in order to gain access to the Clubhouse.



Any Resident found responsible for setting off the Clubhouse alarm by staying in the building beyond midnight will be responsible for reimbursing SPHOA for all related costs.

d. Key Fobs: Each Sonoma Pines address is entitled to purchase one key fob. All rental homes must be identified as such by the Homeowner and noted in the key fob registry.

A Homeowner is permitted to give their key fob to their Tenant to access the Clubhouse. If this is done the Homeowner must ensure their Tenant is made aware of all Clubhouse rules and regulations. The Homeowner is also responsible for the conduct of their Tenant (including any Tenant guests) when they use the Clubhouse and is responsible to pay for any related fines and damage.

To fulfill the requirements of their position SPHOA council members and Clubhouse committee members are not required to pay for their household key fob. Upon vacating their position their key fob must be returned and deactivated and a replacement key fob can then be purchased. Key fobs must not be provided to Guests for unsupervised access to the Clubhouse.

When a home is sold the Homeowner must return their key fob and have it deactivated. If the key fob is in good working condition the Homeowner will be refunded their purchase price and the key fob will be placed back into inventory for resale.

A key fob that is damaged/lost must be reported immediately and deactivated. The Homeowner will not be given a refund for a damaged/lost key fob but can purchase a replacement.

Homeowners are responsible for the cost or replacement of key fob batteries.

e. Parking: Parking at the Clubhouse and surrounding area is limited. The SPHOA requests that Residents and guests refrain from parking in the vicinity of the Clubhouse and surrounding area except in designated areas. Residents and guests are encouraged to walk to the Clubhouse, or secure alternate transportation. Limited parking is permitted on Sonoma Pines Drive. There is no parking in the Clubhouse service entrance driveway. Parking or unloading on the patio area is strictly prohibited. Posted no parking areas will be strictly enforced through a fine and/or towing of the offending vehicle(s) at the vehicle owners expense.

f. Smoking: Smoking of any kind is not permitted in the Clubhouse or around Clubhouse entrance/exits. Smoking is only permitted in designated outdoor areas.

g. Pets: Pets of any kind are not allowed in the Clubhouse premises at any time.

h. Minors: Under no circumstances is anyone under the age of 19 allowed in the Clubhouse without the supervision of a Resident. Should damage by a Minor occur, the Resident will be held responsible for repairs and/or clean up. The number of Minors should be kept to a minimum when the Clubhouse is expected to be busy.



i. Guests: Guests may be brought to the Clubhouse by Residents and remain the responsibility of the Resident for the duration of the time they are on the premises. Residents are encouraged to limit the number of guests during times when the Clubhouse is expected to be busy.

j. Restrictions: While any Resident is using the Clubhouse the restrictions outlined below will apply:

- Patio furniture must remain on the concrete pad;
- Folding tables and chairs only may be used on the patio area if required; and
- No paint, tape or tacks are permitted on walls, windows, fixtures or molding, fireplace, mantel or ceiling. Candles in safe containers and supplied by the user are permitted however no taper candles are permitted.

Section 4. Clubhouse Use Requirements

Use of the Clubhouse by all Residents is subject to the activities and restrictions outlined below.

a. Equipment: Removal of any equipment, appliances, supplies or furnishings from the property is strictly prohibited.

b. Social Committee Functions: This includes all activities planned by the Social Committee and will be open to all Sonoma Pines Residents. Some of these events will require advance ticket purchase to cover the cost of food and entertainment.

c. Resident Use: Residents may use all parts of the Clubhouse at any time except during times when specific spaces are booked for private functions. Residents are asked to use discretion when using the facilities while other organized activities are going on.

d. User Groups: The Social Committee will, at its discretion, review requests from User Groups for art, music, crafts, fitness, social, educational or other recreational activities in the Clubhouse. User groups are open to all Residents who share an interest in the subject. A copy of the monthly activity schedule will be posted on the bulletin board and on the Sonoma Pines website www.livingatsonomapines.com and in the Sonoma Sun newsletter. Each User Group must designate a contact person for their group and provide the name to the booking agent. A Resident or group of Residents may propose new User Groups and if approved by the Social Committee, the Booking Agent will schedule times for the activity. Approved User Groups may be asked to relinquish their allotted time for scheduled events at the discretion of the Social Committee.

e. Private Functions. Private Functions are defined as functions organized by a Resident where not all Residents of Sonoma Pines are invited to participate. Rules governing use of the Clubhouse for Private Functions are listed below. The Clubhouse can only be booked by a Resident (or a group of Residents) for their personal use. The Resident will be deemed the



“Private Function Renter” and must be in attendance at all times. A Private Function may not restrict the discretionary use by other Residents of the library, games room or the lower level rooms. Residents using portions of the Clubhouse during Private Functions are asked to respect the privacy of the Private Function Renter.

The following terms and conditions will apply to all Private Functions:

- i. Private Function Restrictions: Under no circumstance can a Private Function be booked for the express purpose of holding a Stag or Stagette.
- ii. Booking Times: Private Functions may be booked between the hours of 11:00 a.m. and midnight. Clubhouse quiet hours must be adhered to and the building vacated and locked by midnight. Cleanup of the facility must be completed no later than 10:00 a.m. the following morning.
- iii. Maximum Attendees: Any Private Function (main entertainment, dining and patio area) is limited to the attendance of 60 persons.
- iv. Fees: A fee is required for the private use of the Clubhouse which does not include use of the library, games room or lower level. The following fees are effective January 1, 2014 and are only refundable if the booking is cancelled 30 days prior to the event:
 - For all renters: \$200.00 damage deposit; plus
 - If being used by a Resident for personal purposes: \$100.00 rental fee; plus an additional \$100.00 cleaning fee if chosen; or
 - If being used by a Resident for purposes of a trade show or a commercial vendor (organized by a Resident): \$150.00; additional \$150.00 cleaning fee if chosen; and
 - A 25% discount of Clubhouse rental fees for all approved volunteers.
 - For use of table covers during an event: \$50.00

If a Private Function Renter elects to clean the Clubhouse themselves instead of paying the additional cleaning fee, they must clean the Clubhouse as outlined in the applicable section below.

v. Rental Agreement and Damage Deposit: A Rental Agreement must be signed by the Private Function Renter and applicable fees paid at the time of booking. Payment of the damage deposit is also required at the time of booking for all Private Functions.

Damage caused during a private function:

- Any damage to the premises or equipment occurring during a Private Function is the responsibility of the Private Function Renter.



- The Private Function Renter together with the Booking Agent will inspect the building and equipment before and after the Private Function to assess pre and post booking conditions.
- In the event of damage, the damage deposit will be applied. If the deposit is insufficient to cover damages, the Private Function Renter will be responsible for covering the additional costs, and no exceptions will be made.

vi. Alcohol: Under no circumstance can liquor be served to any person under the age of 19 within the Clubhouse. Should it be necessary at a function to sell alcohol for a nominal fee (e.g. cash bar at a wedding reception), the Private Function Renter must apply for a liquor license which is available at all BC Government liquor stores. A copy of this license must be shown to the booking agent. If alcohol is not sold, then no liquor license is required. If any belligerent and/or destructive behavior occurs, a minor being served alcohol or any illegal activity conducted on the premises, the SPHOA has the right to terminate the Private Function. All applicable costs for damages will be assessed to the Private Function Renter. Under such circumstances booking fees will not be refunded.

vii. Equipment Use for Private Functions:

- Fees cover the use of all food preparation appliances, including the refrigerator, stove, cooler, barbecue and grill, chafing dishes, serving trays, platters, pans, coffee pot and urn, cutlery, dishes, tables, chairs, dishwasher and sound system.
- Sterno for chafing dishes is not included.
- Renters must supply their own coffee and tea.

viii. Cleanup for Private Functions:

All Private Function Renters are responsible for completing the following at the conclusion of their event:

- Cleaning all appliances used during the event, including coffee pots, coffee urn and barbecues (if utilized)
- Removing all food and condiments brought for the function, including refrigerated items
- Washing all dishes used; if using the dishwasher ensuring it has been emptied, drained and turned off at completion of the wash cycle.
Dishes are to be rinsed before loading into the dishwasher. Food grate in the dishwasher is to be cleaned upon completion of the last load of dishes. Please read the posted instructions and leave the dishwasher door open after it has been drained.
- Bagging all garbage and placing it in the garbage containers located in the cedar enclosure on the south side of the building
- Removing all recyclable materials and placing them in the recycle containers provided outside in the trash enclosure and separated as follows:
 - Returnable – bottles, cans, plastic and glass jars



- Recyclables – paper, cardboard, etc. These items must be in a separate recycle bag for curbside pickup
- Ensuring all chairs, tables (including patio furniture) and any other equipment used are cleaned and put away to their original location
- Ensuring any tablecloths, dishtowels and dishcloths used have been folded and left out for cleaning
- Turning off all lights, fans and the fireplace (if applicable)
- Turning off the TV and sound system
- Ensuring that all exit doors are locked

Private Function Renters are also expected to ensure the Clubhouse is returned to its pre-function state by performing the following additional cleaning tasks:

- 1, Mopping the kitchen, front entrance and hallway floors using the mop and bucket as provided;
2. Mopping the dance floor using the special mop provided and a small amount of minwax hardwood floor cleaner located under the sink;
2. Cleaning the Ladies and Men's washroom counters, toilets and floors; and
3. If the patio was used, sweeping it of any debris.

A Private Function Renter may elect to pay the applicable cleaning fee instead of completing the above additional cleaning tasks. The Private Function Renter must elect this option at the time the booking is made.

If cleanup of the facilities used is not adequate, the damage deposit will be used to cover the cost of cleanup.

Section 5. Clubhouse Administration

The SPHOA has assigned the Social Committee the responsibility for administering Clubhouse use. The Social Committee shall appoint from among its members, a booking agent (or agents) who will be responsible for all Clubhouse bookings. The name, phone number and email address of the booking agent shall be posted on the bulletin board and in the kitchen along with the rules for Clubhouse users.

Section 6. Clubhouse Booking

Booking of the Clubhouse must be made with the booking agent and are available on a first come first served basis. In the event of booking conflicts Homeowners will be given priority over Tenants or Homeowners that do not reside in Sonoma Pines on a full-time basis.

Section 7. Responsibilities Risks and Liabilities

The SPHOA is not liable for any personal property damage or personal injury occurring during the rental time period. Private Function Renters and all Residents are advised that video surveillance of the interior and exterior of the Clubhouse may be in effect 24 hours per day.



Enforcement of Clubhouse rules and regulations will be consistent with the enforcement of Sonoma Pines Home Owners Management (“SPHOM “) rules and regulations as outlined below:

Division 3 – Enforcement of Rules and Regulations:

Maximum fine

1. SPHOM may fine an owner or tenant a maximum of:
2. (a) \$100.00 for each contravention of a rule or regulations.
- 3.

Continuing contravention

4. If an activity or lack of activity that constitutes a contravention of the rules and regulations continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Action under Default

5. SPHOM Ltd. Shall is entitled to take any and all action as permitted under the Sublease Agreement for breaches.

The SPHOA Council of the Sonoma Pines Homeowners Association has final interpretation over the above Clubhouse Rules and Regulations in the event of any discrepancy.

Sonoma Pines Fitness Facility

Section 1 Purpose of the Fitness Facility

Sonoma Pines is pleased to provide its residents with a fitness facility located on the basement level within the Sonoma Pines Clubhouse. The purpose of the Sonoma Pines fitness facility is to provide residents with access to fitness equipment and fitness activities, fitness programs or fitness services, all collectively referred to as the Sonoma Pines Fitness Facility. As the Sonoma Pines Fitness Facility is located within the Sonoma Pines Clubhouse, the Sonoma Pines Clubhouse Rules and Regulations apply when Residents use the Sonoma Pines Fitness Facility in addition to the rules and regulations outlined below.

The Sonoma Pines Home Owners Association governs the Sonoma Pines Fitness Facility.

Section 2. Terms Used

- a. Homeowner: A Homeowner is a person over the age of 19 that is identified as a Lessee in a Sonoma Pines property Sublease Agreement.



- b. Tenant: A Tenant is a person over the age of 19 that rents a home in Sonoma Pines and whose name is identified on the Homeowner's Tenancy Agreement and provided to the SPHOA's property manager.
- c. Resident: A Resident is a person over the age of 19 that lives in Sonoma Pines. A Resident includes Homeowners, people that live in Sonoma Pines with a Homeowner and Tenants of a Homeowner.
- d. Minor: Anyone under the age of 19.
- e. Guests: Anyone visiting a Resident, whether on a long-term or short-term basis.
- f. SPHOA: The elected council of the Sonoma Pines Home Owners Association.

Section 3. Sonoma Pines Fitness Facility Principles:

The Sonoma Pines Fitness Facility is located within the Sonoma Pines Clubhouse and its use is a privilege, which is to be shared amongst all Residents. In turn, Residents share the responsibility to maintain this fitness facility to a standard that can be enjoyed by all while using the fitness facility including the responsibility to leave it neat, clean and tidy, and treating it as you would your own property.

- a. All Residents entitled to use the Sonoma Pines Fitness Facility are to be given equal access to the facility and any activities, programs or services it provides.
- b. The Sonoma Pines Fitness Facility is to be used in an appropriate and safe manner to avoid injury or loss of life or loss or damage to property of users or others.
- c. Subject to authorized exceptions, only persons entitled to use the Sonoma Pines Fitness Facility are to be given access to the facility.
- d. The Sonoma Pines Fitness Facility is to be used in a manner that avoids unnecessary repairs and replacement and minimizes maintenance and operation costs.
- e. The risks of liability resulting from use of the Sonoma Pines Fitness Facility are to be minimized or avoided in accordance with good risk management practices.
- f. The Sonoma Pines Fitness Facility is not intended to be used by anyone under the age of 16. A Resident must accompany any Minor over the age of 16 using the Sonoma Pines Fitness Facility.
- g. Guests may use the Sonoma Pines Fitness Facility and remain the responsibility of the Resident for the duration of the time they are on the premises.
- h. Residents must sign a Sonoma Pines Fitness Facility Release prior to using the facility or any activities, programs or services it may offer.
- i. Activities, programs or services offered by or through the Sonoma Pines Fitness Facility are intended to enhance the health and well-being of the Residents/Guest of Sonoma Pines and should not be provided for any other non-fitness purpose.

Section 4. Fitness Facility Access

Use of the fitness facility by all Residents and their Guests is subject to the activities and restrictions outlined below:



- a. Sign-in Register: A sign-in register is located in the fitness facility entrance. The responsible Resident must sign-in all Guests while using the fitness facility.
- b. Equipment Usage: In addition to executing a Sonoma Pines Fitness Facility Release, an orientation to the equipment is required prior to using the fitness facility equipment unless approved by the fitness facility coordinator. Residents are responsible for providing or obtaining an equipment orientation for their Guests.
- c. Hours of Operation: Access to the fitness facility will be between 5:30 a.m. and 11:00 p.m. All users of the facility must exit promptly before closing time. Residents and their Guests may use all parts of the fitness facility during the above hours of operation, including during private functions being held on the upper level of the Clubhouse.
- d. Guests: Unless approved by the Fitness Facility Chairperson, an adult Resident must accompany all guests using the fitness facility. A Resident may not provide access to more than four guests at any time in the fitness facility.
- e. Clothing: All users of the fitness facility must remove outside footwear and wear clean athletic shoes and athletic clothing. No street clothes, dress shoes, boots, sandals or flip-flops are permitted in the fitness facility at any time.

Section 5. Sonoma Pines Fitness Facility Administration

The SPHOA has assigned responsibility for administering the use of the Sonoma Pines Fitness Facility, including any activities, programs or services to a Fitness Facility Chairperson, appointed by the SPHOA Council for one year. The Fitness Facility Chairperson may enlist assistance for specific functions pertaining to the operation of the fitness facility or any of its activities, programs or services from among the Sonoma Pines Residents as required from time to time.

Section 6. Responsibilities Risks and Liabilities

It is the sole responsibility of anyone using the Sonoma Pines Fitness Facility to do so at their own risk. The SPHOA is not liable for any personal property damage or personal injury while Residents, any member of their household or any guests utilize the fitness facility or participate in any activities, programs or services. Users assume all risk of injury. Residents may be liable for damages to equipment in the fitness facility caused by them, any household members or their Guests.

Section 7. Enforcement of Sonoma Pines Fitness Facility Rules and Regulations

If a Resident, household member or a Guest of the Resident, fails or refuses to comply with these rules or any posted rule in the Sonoma Pine Fitness Facility after being reminded of their obligation to comply, the Fitness Facility Chairperson, or any person delegated by the Fitness Facility Chairperson may require the non-complying Resident to leave the fitness facility immediately, if in the opinion of the Fitness Facility Chairperson or their delegate, the person's actions are placing that person or others in danger of physical harm or are likely to cause damage or loss to the facility.



If a Resident, household member or a Guest of the Resident, fails or refuses to comply with these rules or any posted rules in the Sonoma Pines Fitness Facility, the Fitness Facility Chairperson, or their delegate, may send a written notice to the Resident advising of the non-compliance along with notice that continued failure or refusal to comply with these rules or any posted rules may result in withdrawal of the Resident's rights to access and use the fitness facility. If the failure or refusal to comply with these rules or posted rules continues despite the written notice, the Fitness Coordinator must refer the issues with a recommendation to the SPHOA Council. A Resident whose rights to access have been withdrawn may make a written application to the SPHOA Council for a decision to reinstate the Resident's rights of access.

If a Resident or a Guest fails or refuses to sign any form required in these rules, including but not limited to the Sonoma Pines Fitness Facility Waiver and Release, the Fitness Facility Chairperson must give the Resident 15 day notice to sign and file the required form along with notice that failure to do so will result in an automatic withdrawal of the Resident's rights to access and use the fitness facility. A Resident whose rights to access have been withdrawn may make a written application to the SPHOA Council for a decision to reinstate the Resident's rights of access.

Access to the Sonoma Pines Fitness Facility is predicated upon Residents paying their monthly maintenance fees. Access privileges may be withdrawn for any Resident in default of payment of their monthly maintenance fees. Access rights by the Resident may be reinstated once the strata corporation notifies the SPHOA Council, in writing, that the Resident is no longer in default of payment of their monthly maintenance fees. Except where specifically stated, the SPHOA may fine a resident \$100 for each contravention of a rule outlined in this document.

Any fine levied against a Resident shall be immediately due and payable.

Access to Sonoma Pines Fitness Facility may be removed for contravention of rules and/or non-payment of fines. An appeal may be made by written application to the SPHOA Council for a decision respecting the unpaid fines.

It was moved and seconded to approve by majority the proposed rules as presented. The floor was open for general discussions. It was moved and seconded to amend the rules under Clubhouse Rules and Regulations Section 3. a. Quiet Hourswill be from 11pm to 5:30am; motion carried. After further general discussions the question was called. The motion to approve the proposed rules as amended carried.



REPORT ON INSURANCE

For your reference an insurance summary was included in the notice package. Limits on property and building content are in excess of \$86M. There is a liability policy in place for \$10M and a directors & officer's policy in place valued at \$ 2M. Deductibles for water related damage are \$10,000. Owners are advised to have adequate HOME insurance to cover an assessment of the Sonoma Pines Home Owners Association's deductible in the event of a water related claim.

APPROVAL OPERATING BUDGET

R. Zivkovic presented a verbal summary of the proposed 2014/2015 budget. Maintenance fees are staying the same for a large portion of owners. The fee increase of \$6.50 has been applied to "multi-plex and duplex" type home owners which represents half of the monthly management fee. The Sonoma Pines Home Owners Association is in sound financial position to meet its planned expenditures for the year. Please make reference to the annual general meeting notice package for the proposed budget and maintenance fee schedule.

The floor was open for general discussions. Many owners shared concerns of the current level of landscaping services being provided. United Irrigation is the landscape maintenance provider and is in its second year of a three year contract. Owners shared concerns of minimum levels of service standards being provided. During the budget discussions it was moved and seconded to amend by increasing the landscape budget for Sonoma Pines Home Owners Association (SPHOA) by \$40,000. Brief discussions continued. The motion to amend the budget was not carried.

Owners were instructed to send their landscape concerns and please directly to:

Shelley Koehler
Director of Client Services
250.860.3753
www.unitedlandscapes.ca

Owners may also visit the website www.sonomapines.info or www.sonomapines.com for updates to community reports, events and community rules and records.

Discussions came back to the proposed budget. It was further moved and seconded to amend the budget to include \$6,000 for professional accountant review fees. Brief discussions were held and the question was called. The motion to amend the budget was defeated.

It was further moved and seconded to amend the budget to include a tractor purchase of \$10,000 and a surplus carry forward amount of \$10,000 into the proposed budget to fund the purchase of the utility tractor; motion carried.



The Budget approval question was called for a vote. The motion to approve the proposed budget for 2014/2015 as amended carried.

(The meeting adjourned for a short recess of 10 minutes.)

Owners returned to discuss the next resolution as presented:

#1 - 3/4 Vote Resolution – Clubhouse equipment purchase

BE IT RESOLVED as a $\frac{3}{4}$ vote resolution of the Sonoma Pines Home Owners Association, approve

up to \$7350.00 from previous years' surplus for the purchase and installation of the proposed (plus tax):

Gym Equipment: 1 vibration trainer
1 stair climber
Cost: \$4500

Clubhouse: Bulletin Board to be built and installed at the entrance to the Clubhouse.
Cost: \$350.

Sonoma Pines community clubhouse sign to be built and installed adjacent to the sidewalk by the irrigation control box.
Cost: \$500.

Public Address System (PA) for great room of clubhouse.
Cost: \$ 2000.

The chairman opened the floor for general discussions to the proposed resolution. Shortly thereafter the question was called and a vote taken. The motion was defeated in its entirety. Discussions ensued on the value of the other purchases in the proposed resolution i.e. a PA system, signage, and bulletin board. It was moved and seconded to revisit the motion presented; motion carried. Discussions continued with an owner making a motion to move and subsequently seconded to amend the proposed Capital Purchase of Clubhouse Equipment by removing the purchase of the Gym Equipment piece of 1 stair climber \$4,500; amendment carried. The question was called, a vote taken. The resolution as amended carried.



#2-Majority Vote Resolution – Capital Budget

Whereas the 2013 depreciation report calls for capital budget expenditure for 2013 of up to \$30,000 for site improvements reserve components of roadways and curbs.

BE IT RESOLVED as a $\frac{3}{4}$ vote resolution of the Sonoma Pines Home Owners Association, approve

1. the capital budget for common site improvements specifically roadways and curbs as detailed in the 2013 Depreciation Report, up to a maximum \$30,000 to be funded by the SPHOA contingency reserve fund.

It was moved and seconded to approve the proposed majority vote resolution. The floor was open for general discussions. The noted areas of curb and sidewalk areas do not fall under warranty coverage. The question was called and a vote taken. The resolution as presented carried.

Owners who have identified construction related damage to curbs and sidewalk were kindly instructed to contact the Rykon office.

#3 – 3/4 Vote Resolution –SPHOA Landscape and Tree maintenance

BE IT RESOLVED as a $\frac{3}{4}$ vote resolution of the Sonoma Pines Home Owners Association, approve

1. up to \$25,000 of landscape and tree related maintenance to be funded by the SPHOA previous years' accumulated surpluses.

It was moved and seconded to approve the proposed resolution regarding landscape and tree maintenance; motion carried.

#4 - 3/4 Vote Resolution – Amendment of Bylaws

BE IT RESOLVED by $\frac{3}{4}$ vote resolution of the Sonoma Pines Home Owners Association approve the following Standard Schedule of Bylaw and Schedule E bylaw amendments:



Use of Property

3. (1) An owner, tenant, occupant or visitor must not use a lot, the common property or common assets in a way that:
 - (11) Nothing may be used, stored or placed in a strata lot or on common property, including limited common property in such a manner that it creates a fire hazard.
 - (12) For the use or ride of a skateboard, push scooter or long board on common area roadways and sidewalks.
 - (13) No soliciting will be permitted within the Community of Sonoma Pines.
 - (14) The use of outdoor wood burning appliances is prohibited. Only CSA or ULC approved portable fire pits are permitted. Approved devices may be used and flame length must not exceed 15 centimeters.
 - (15) The rental fee for a long stall in the R.V site will be \$60.00 per month and the fee for a short stall is \$45.00 per month.

Division 3 – Enforcement of Rules and Regulations

Maximum fine

1. SPHOM may fine an owner or tenant a maximum of:
 - (a) \$200.00 for each contravention of a Standard Schedule bylaw or Schedule E
 - (b) \$50.00 for each contravention of a rule.
1. Video and audio recording of Council and Owner general meetings is prohibited.

Division 8 - Security and Personal Information

Video Surveillance

- 32 (1) The common property of the Sonoma Pines Home Owners Association is subject to 24 hour audio and video surveillance for the purpose of recording the activities of owners, tenants, occupants, guests, and the general public within common property.
 - (2) Audio and/or video surveillance equipment (Hereinafter “Cameras”) must not be



positioned in such a way that they monitor or record:

- (a) Activities outside of the bounds of the strata plan; or
- (b) Activities in areas where owners, tenants, visitors and employees have a reasonable expectation of privacy such as change rooms, washrooms, or within any strata lot.

(3) Cameras shall be located, at the following positions:

- A. Within the premise known as the Clubhouse both upper and lower levels.

(4) Notices will be posted advising the public of ongoing audio/video recording.

(5) The audio/video surveillance system will operate 24 hours per day, seven days per week and will be used to record all activities in the common areas of the Sonoma Pines Home Owners Association for the purpose of obtaining usable evidence of illegal acts and/or infractions of the bylaws of the Sonoma Pines Home Owners Association and the cause of any damage to property, or other loss or damages, including verification of identity of persons responsible and potential witnesses.

(6) The information and recordings collected may be used as evidence of bylaw infractions, evidence of criminal acts, or may be used as evidence to determine responsibility for injury, damage to property, or other facts at issue in Court, Arbitration or any other hearing or dispute resolution proceedings.

(7) The audio/video surveillance recording system as outfitted from time to time will include a number of cameras and a central recording system which will be kept in a secure locked location and will be password protected for access only by authorized representatives of the Sonoma Pines Home Owners Association.

(8) Recorded data must be securely destroyed after 7 days unless:

- (a) A copy of the recording was provided to a third party, in which case it must be securely retained indefinitely;
- (b) A request is made by a council member that a specific recording be preserved for consideration by the Council at the next council meeting, in which case the recording may be saved for up to 45 days; or
- (c) The Council decides to preserve recordings from a specific incident or series of incidents and that decision is recorded in the minutes. Such a decision must be recorded in the minutes, and must state the period of time for which the recordings will be preserved.

(9) No owners, third parties or other person will be entitled to view or receive a copy of recordings, except as contemplated by the bylaws.



Key Fobs

- 33 (1) Access to the common areas of the Clubhouse is controlled by use of Key Fobs, which may include the ability to record the time and area accessed by each Key Fob bearer.
- (2) The data recorded by the key fob system may be used alone or in conjunction with audio or video recordings as evidence of bylaw infractions, evidence of criminal acts, or may be used as evidence to determine responsibility for injury, damage to property, or other facts at issue in Court, Arbitration or any other hearing or dispute resolution proceedings.
- (3) The recordings will be stored by the digital recording device and may be saved indefinitely, transferred to permanent storage media, or overwritten as new data is stored on the device - all in accordance with the purposes of this bylaw.
- (4) Recorded data must be securely destroyed after 60 days unless:
- (a) A copy of the recording was provided to a third party, in which case it must be securely retained indefinitely; or
 - (b) The Council decides to preserve data from a specific incident or series of incidents and that decision is recorded in the minutes. Such a decision must record the period of time for which the data will be preserved.
- (5) No owners, third parties or other persons will be entitled to view or receive a copy of access data, except as contemplated by the bylaws or required by law.

Disclosure of Recordings and Access Data

- 34 (1) Audio/ Video recordings and key fob access data collected or recorded pursuant to this division may be viewed or disclosed only under the following circumstances:
- (a) Review may be conducted as required in furtherance of legitimate duties to the Sonoma Pines Home Owners Association, by representatives of the Sonoma Pines Home Owners Association's management firm, security service contractor (if any), resident manager, legal counsel and current members of Council.
 - (b) A copy may be made, retained and used internally with respect to any time period, incident or series of incidents, as directed by majority vote of the Council in furtherance of their legitimate duties to the Sonoma Pines Home Owners Association as determined in the sole discretion of the Council.
 - (c) Disclosure of a copy must be made pursuant to a Court Order, Subpoena, Warrant or equivalent authorization – including any valid demand for inspection or production of relevant documents pursuant to Court Rules, or Rules of Arbitration or equivalent proceedings – in accordance with the terms of the authorizing document, order or rule.
 - (d) By any person making a request to review or obtain a copy of that person's own personal information as recorded, provided that the consent of any other individuals recorded contemporaneously are obtained.



- (e) A copy may be made, kept, used and/or disclosed to a third party if the Council determines by majority vote that disclosure is consistent with the purpose of this Division, and is in the best interests of the Sonoma Pines Home Owners Association or any owner or occupant.
- (f) Without limiting any of the foregoing, information, data, a recording or a copy of a recording collected pursuant to this Division may be made, retained, used and/or disclosed if the Council determines by majority vote that the copying, retention, use or disclosure is permitted or required by law
- (g) Without limiting any of the foregoing, a recording or a copy of information, data or, a recording collected pursuant to this Division may be made, retained, used and/or disclosed if the Council determines by majority vote that the copying, retention, use or disclosure is necessary to preserve the interests of the Sonoma Pines Home Owners Association or any owner, tenant or occupant by advancing a criminal or regulatory complaint, a civil claim or an insurance claim.

(2) Recordings or copies of recordings disclosed to a third party pursuant to this bylaw may be used, retained and disclosed by other parties in accordance with their privacy policies.

(3) Any party requesting an appointment to review or copy any data or recording kept pursuant to this Division for any purpose other than a purpose of the Sonoma Pines Home Owners Association is responsible to pay in advance the reasonable expenses of the Sonoma Pines Home Owners Association related to that request regardless of whether the review provides the data requested or not. The Sonoma Pines Home Owners Association is not required to review or copy the data or recordings if the person making the request refuses to pay the costs as outlined above, absent a Warrant, Court Order Subpoena or similar requirement binding upon the Sonoma Pines Home Owners Association.

(4) A log will be kept by the Sonoma Pines Home Owners Association to record any person who accesses, reviews or copies any data or recording kept pursuant to this Division, including the date and time of access, the full name of the person accessing the data or recording, the date and time of the data or recording, the purpose of access and whether or not a copy was obtained.

It was moved and seconded to approve the proposed bylaw amendment resolution. The floor was open for discussions. It was further moved and seconded to separate the resolution into three related sections: 1) Use of Property 2) Enforcement of Rules and Regulations 3) Security and Personal Information; motion carried.

Owners discussed Use of Property proposed bylaw amendments. It was moved and seconded to amend section 3 (15) under Use of Property as follows, "The rental fee for a long stall in the R.V site will be ~~\$60.00~~ **\$35.00** per month and the fee for a short stall is ~~\$45.00~~ **\$25.00** per month"; motion defeated.



Discussions resumed on the proposed bylaw amendments under Use of Property. The question was called and a vote taken. The resolution to approve the bylaw amendment relating to Use of Property carried.

Section 2 of the proposed bylaw amendment resolution called Enforcement of Rules and Regulations were briefly discussed. The question was called and the vote taken. The motion carried.

Section 3 of the proposed bylaw amendment resolution called Security and Personal Information was discussed. It was subsequently moved and seconded to strike out sections 32 and 34 under Security and Personal Information in its entirety; motion carried. Discussions resumed. Shortly thereafter the question was called and a vote taken. The resolution as amended carried. For clarity only section 33) Fobs remains as an approved bylaw.

It was moved and seconded to revisit the Clubhouse equipment purchase resolution; motion carried. It was moved and seconded to amend the resolution to include the purchase of equipment in the amount of up to \$2000 for a defibrillator; motion carried. The resolution as amended carried.

ELECT COUNCIL - The chair opened the floor to volunteers and nominations for the coming year.

The following names were nominated for the SPHOA Council: John Scott, Cameron Johannsen, Kimberly Westgate (Rykon Rep.), Jo-Anne Luchka, Robert Taylor and Charlie Milazzo.

It was moved and seconded to close the floor for nominations; motion carried. It was moved and seconded to accept the nominees to the SPHOA Council as newly elected Council members for the 2014/2015 term; motion carried.

MEETING TERMINATED – There being no further business, it was so moved to adjourn the meeting at 10:10 p.m.

The Sonoma Pines Multi-Family Association AGM followed.



MINUTES OF THE ANNUAL GENERAL MEETING FOR THE SONOMA PINES MULTI-FAMILY ASSOCIATION (SPMFA) HELD ON MAY 29TH, 2014 AT 7:00 PM AT THE OWNER CLUBHOUSE ON SONOMA PINES DRIVE WESTBANK, B.C.

CALL TO ORDER - R. Zivkovic, Strata Manager, welcomed the owners to the Annual General Meeting and called the meeting to order at 10:20 P.M.

PROOF OF ATTENDANCE - Proxies and corporate representatives were certified and voting cards were issued upon signing in. There were a total of 147 eligible voters, 115 of which were by proxy, thus a quorum was established.

PROOF OF NOTICE – R. Zivkovic confirmed that the notice of the AGM was distributed to owners. It was moved and seconded to approve the annual general meeting proof of notice; motion carried.

ELECTION OF CHAIRPERSON – It was moved and seconded to appoint Robert T. Zivkovic as chairman for the meeting; motion carried.

APPROVAL OF AGENDA – R. Zivkovic outlined the order of business and items on the agenda. It was moved and seconded to approve the agenda as distributed; motion carried.

APPROVAL OF MINUTES – It was moved and seconded to approve the annual general meeting minutes of May 28, 2013; motion carried.

UNFINISHED BUSINESS- NA
COUNCIL AND COMMITTEE REPORTS NA
RATIFY RULES NA

REPORT ON INSURANCE – The Certificate of Insurance was included in the notice package. The current policy includes the common property and common assets as well as the multi-family buildings and all above and below ground infrastructure. The property is currently insured at a limit of over \$86M. The insurance policy includes liability coverage for property damage and bodily injury at \$10,000,000. Directors & officers policy is also in place for \$2,000,000.

It is imperative your home owner insurance policy reflect the coverage of an assessed deductible in the amount of \$10,000 for water damage related claims. Any questions regarding the HOA's policy are best answered by the strata's agent, Ellen Young, Ph: 250-762-2217 or email: ellen.young@westernfg.ca. Please refer to the Certificate of Insurance provided in the notice, which outlines the insured perils, the limits of coverage and the applicable deductibles.



Owners are reminded that they need to obtain their own insurance to cover policy exclusions such as contents, improvements, liability and the strata building deductible.

APPROVAL OF BUDGET

It was moved and seconded to approve the proposed (Sonoma Pines Multi Family Association) SPMFA budget for 2014/2015 as presented. The floor was open for general discussions. Concerns were raised relating to United Landscaping's service levels. The new Council will continue to work closely with United Irrigation to ensure landscape service levels are being attained and contractual duties are being executed. Landscape drainage repairs are being planned in prioritized areas of which repairs will commence during the summer months. The discussions to the budget were brief, and the question was called. The motion to approve the proposed budget as presented carried.

#1 – 3/4 Vote Resolution –Landscape repairs

BE IT RESOLVED as a $\frac{3}{4}$ vote resolution of the Sonoma Pines Multi Family Association, approve

1. up to \$25,000 of landscape related repairs and upgrades to landscape drainage to be funded by the SPMFA previous years accumulated surpluses.

It was moved and seconded to approve the proposed resolution; motion carried.

NEW BUSINESS

General community discussions took place. Note: Talavera landscaping in phase 9 will be repaired after the landscape designs are completed which is projected to be completed this season.

An owner suggested a maintenance committee be formed to deal with ongoing maintenance related issues i.e. eaves trough repairs, fascia and exterior issues. An owner raised concerns regarding lighting around the Clubhouse. This owner was kindly instructed to report the concerns to the Common Board.

ELECT COUNCIL - The chair opened the floor to volunteers and nominations for the coming year. The following names were nominated for the SPMFA Council: John Scott, Cameron Johannsen, Jo-Anne Luchka, Robert Taylor and Charlie Milazzo.

It was moved and seconded to accept the nominees to SPMFA Council as newly elected Council members for the 2014/2015 term; motion carried.

MEETING TERMINATED – There being no further business, it was so moved to adjourn the meeting at 10:45 p.m.