

Sonoma Pines Homeowners Management Ltd.

Board Meeting Minutes June 30, 2021

NAME	PORTFOLIO	REPORT TO BOARD	PHONE	EMAIL
Lloyd Searcy	Board Chairman	Managing Director-WFN, Rykon, Governance, Legal, Insurance	(250) 718-3060	ldsearcy@gmail.com
Gary Sears	Vice Chairman	Irrigation Committee	(306) 717-7820	gsears@telus.net
Murray Reiter	Treasurer	Finance, Landscaping Committee & RV Lots	(250) 863-1283	reiterm@shaw.ca
Malcolm Metcalfe	Secretary	Communications Committee & Investments	(250) 707-3031	malcolm@metcalfe.org
Bob Scruton	Director	Safety and Security Committee	(250) 707-4677	b_scruton@telus.net
Don Porter	Director	Clubhouse & Social Committee	(778) 215-3034	donporter2168@outlook.com
Walter Rendell	Director	Maintenance Committee	(250) 707-3888	waltrendell@gmail.com
Bob Bassett	Ex-Officio	Legal Assistance		bobbassett@okanaganlaw.com

View past minutes on the Sonoma Pines Website at <u>www.sonomapines.ca</u> Password "sonomapines"

Location: Clubhouse, 3999 Sonoma Pines Drive, Westbank, B.C.

The meeting was called to order by Lloyd Searcy at 6:50 pm

All Board members were in attendance. Ex-Officio was not in attendance.

1) Finalize agenda

The following were additions to the Agenda under New Business:

- a) Approval of Alteration and Landscaping Requests
- b) Board Directive related to revisions to the Alteration Reference Table
- c) Board Directive related to Maintenance and Repair
- d) Board Directive Bylaw Enforcement and the Complaints Process
- e) Guidelines for the preparation on an AGM or SGM
- f) Community Consultation
- g) Marmot Control
- h) Clubhouse Operation
- i) Fence Update
- j) Gate Update
- k) WFN Firesafe Program
- I) Reinstate Plastic Bags at Dog Stations
- m) Proposed Land development on Carrington Road

Motion: The agenda to be approved as amended. Moved: Lloyd Searcy Seconded by: Malcolm Metcalfe. All in favor.

- 2) Approval of
 - a) Board Minutes of May 5, 2021

MOTION: BE IT RESOLVED that the Board accepts the minutes of May 5, 2021. Motion carried. All in favour.

3) Presentation by John Cole, Chair, Westbank First Nations Advisory Council – report attached

John Cole was not in attendance. A report was provided.

4) Community Services Coordinator Report – report attached

In addition to the report provided, there is someone who will build a railing on site on the walkway between Alvarado Trail and Siringo Lane. This could be ready by the end of August.

5) Correspondence

No was no correspondence.

6) Adoption of Committee Reports as Circulated

a) Management Report

Over the month of June, work has commenced on the fencing, and gate posts have been installed. A casual administrative assistant has been hired. Continue to work on financial statements trying to get the processes flowing better, SPHM received the revised appraisal for the insurance and SPHM has submitted a request for a quote from the Cooperators.

b) Clubhouse Committee – report attached

- c) Communication Committee report attached
- d) Finance Committee Financial Statements will be posted on the website in the near future

This year's landscaping and irrigation repairs have added up significantly in the multi-family area. The signing authorities for the bank accounts and investments are currently being updated.

- e) Insurance Committee report attached
- f) Irrigation Committee Committee meeting Minutes of June 22, 2021, attached

g) Landscaping Committee -

There are now a couple of people on the committee. Landscaping along the fence is being refurbished. The trees along Sonoma Pine Drive will take three to four years to come back. Most of the trees are salvageable.

h) Maintenance Committee

There are seven multi-family units that need repainting and four single family units. Seven decks require the vinyl to be replaced due to UV rays. The committee will seek a quote from Project 19 for the deck vinyl replacement. Under Bylaw 2.3, the committee can direct single family homeowners to paint their homes.

Motion: BE IT RESOLVED that, as required by Bylaw 2 (3), the following single family homes shall be required to paint the exterior of their home, or portion thereof, no later than August 1, 2022:

2380 Mesa Vista Court 2382 Mesa Vista Court 4108 Solana Place 3701 Sonoma Pines Drive Whole House Front, Golf Cart Garage and Right Side Front, Rear and Right Side Front

Moved: Murray Reiter. Seconded: Gary Sears. All in favour.

Still waiting for Wood for front of clubhouse. Fir would repel the birds better than the cedar.

i) Safety and Security Committee

The committee has been working towards completing the installation of the pedestrian posts and painting of crosswalks on Sonoma Pines Drive. The Block Watch list is being updated with two new street Captains. Hoping to coordinate with the Welcome Committee to have the Regional Coordinator come in and provide a brief overview of Block Watch with new residents this summer/fall.

j) Social Committee

A Garage Sale and Happy Hour are tentatively being planned for September depending on Covid restrictions.

k) Welcome Committee

The SPHM administration office is working closely with Coldwell Banker to obtain new homeowner information.

MOTION: BE IT RESOLVED that the Committee Reports be accepted as presented. Moved: Bob Scruton. Seconded: Gary Sears. All in favour.

7) Alteration Request Applications

a) The following alteration requests that have been previously reviewed and approved by the Board prior to the June 30, 2021, Board meeting:

2083 Candalera Lane – Plant new cedars 2177 Madera Court – Replace stones between patio & pergola with concrete pavers 2395 Mesa Vista Court – Install aluminum fascia covers 2304 Pine Vista Place – Exterior house painting, new roof 2159 Serrento Lane – Plant cedars along pergola 3836 Siringo Lane – Adding grasses along perimeter of back yard 2155 Talavera Place – Solar tubes

MOTION: BE IT RESOLVED that the above noted Alteration Applications be approved as presented.

Moved: Murray Reiter. Seconded: Malcolm Metcalfe. All in favour.

b) The following alteration requests that have been previously reviewed and denied by the Board prior to the June 30, 2021, Board meeting:

2093 Candalera Place – Install pergola on concrete patio After discussion the Board approved the above-noted alteration request.

MOTION: BE IT RESOLVED that the Alteration Application previously submitted be approved. Moved: Murray Reiter. Seconded: Malcolm Metcalfe. All in favour.

c) The following alteration request(s) requires Board approval:

2108 Verona Lane – Install awning. The alteration request was re-submitted and approved. A letter will go to the homeowner quoting bylaws.

MOTION: BE IT RESOLVED that the Alteration Application previously submitted be approved. Moved: Murray Reiter. Seconded: Gary Sears. All in favour.

2147 Madera Court – Install exterior window. After discussion, the Board approved the above-noted alteration request.

MOTION: BE IT RESOLVED that the Alteration Application previously submitted be approved. Moved: Murray Reiter. Seconded: Gary Sears. All in favour.

2319 Pine Vista – The owner of 2319 Pine Vista will be directed to remove the nonconforming arbor.

2149 Madera Court

Motion: BE IT RESOLVED that, on an EXCEPTION basis, the Board will approve an Alteration Request for a sun/privacy screen to be installed on the lower deck of 2149 Madera facing Talavera Place subject to the following conditions:

- 1. The applicants shall provide the Board with written confirmation of his medical condition from a physician licensed within the Province of British Columbia 10 days prior to the commencement of any installation; and
- 2. The applicants shall agree in writing that this approval is specific to the individual with the medical condition and should that individual cease to live at the residence at 2149 Madera or the home is sold, that the approved sun/privacy screen shall be removed at the owner's expense and that the home shall be returned to its original condition including the repair of the stucco to the satisfaction of the Corporation.

Moved: Murray Reiter. Seconded: Gary Sears. All in favor.

The Board is awaiting a response from the applicant.

8) New Business

- a) Board Directive related to Alteration Request Process -document attached
- b) Board Directive related to revisions to the Alteration Reference Table -Outdoor Awning and Shades – **document attached**
- c) Board Directive related to Maintenance and Repair document attached
- d) Board Directive Bylaw Enforcement and the Complaints Process document attached

Motion: BE IT RESOLVED that the above-noted Board Directives be approved. Moved: Malcom Metcalfe. Seconded: Murray Reiter. All in favor.

The SP Articles of Incorporation and Bylaws will be removed from the "Homeowners" area of the website, and will be made available to the public on the sonomapines.ca website.

e) Guidelines for the Preparation of an AGM or SGM - document attached

Motion: Be it Resolved that the Guidelines for the Preparation of an AGM or SGM be approved.

Moved: Malcom Metcalfe. Seconded: Murray Reiter. All in favor.

f) Community Consultation

The Board of Directors would like to schedule town hall meetings with respect to the future direction of Sonoma Pines starting in the fall.

g) Marmot Control

A memo has been sent out to homeowners. People do have to take some responsibility. It was suggested that SPHM buy 3-4 animal traps to lend to homeowners. The homeowner is responsible for disposing of or relocating caught animal. The traps are in the administration office along with instructions and rental forms. It has been recommended to try human hair or castor oil to deter marmots.

h) Fence Update

The fencing project is moving along. The last discussion with Broadstreet was that they agreed to cost share the fence at the top of SP. An invoice has been provided to Broadstreet for half the cost.

i) Gate Update

The posts have been installed. The gates will most likely not be installed until the end of July/early August.

- j) WFN Firesafe Program.
 SPHM has applied for a \$500 grant.
- k) Reinstate Plastic Bags at Dog Stations

Motion: Be it resolved to reinstate providing plastic bags at dog stations. Moved: Murray Reiter. Seconded: Gary Sears. All in favor.

I) Proposed Land Development on Carrington Road

No new information has been provided. The Board has requested an audience with the WFN Chief for July 13/21 to discuss parking concerns and access to development.

m) Roof on Shed at Clubhouse
 The roof on the shed outside the clubhouse will remain as is.

9) In-Camera Session

10) Next Meeting – September 8, 2021@ 6:30 pm

11) Adjournment

The meeting was adjourned at 8:20 p.m.

WFN 2021 Development Activity Report – Submitted by John Cole, July 2021.

2021 is proving to be one of the busiest in-spite of Covid 19. Below is an update on individual projects and activities within WFN lands.

- Broad Street in final phase of occupancy and site improvement completion.
- Devolution of Carrington Road from Ministry of Transport to WFN in progress.
- Carrington hotel includes 115 units and a pool in final phase.
- 4-way STOP installed at Elk and Carrington with a traffic circle planned.
- Proposed high density development on land south of the Broad Street development under consideration. Public review and comments will commence shortly.
- Trasolini Construction creating a mixed-use development on the north end of Carrington Road. It will include business, residential, light industrial and manufacturing.
- BC Housing has proposed a 52-unit supportive housing project that would be operated by Turning Point Society (they operate similar facilities in Kelowna).
- Sky Green Apts. By Shannon Lake at occupancy stage of 115 units.
- Shelter Bay is finalizing a 220-unit multi-family project. They have committed to improve the frontage all the way to the bridge including cyclist and pedestrian pathways.
- Ariva received approval of 30 units and are working on a solution for the intersection at Westside Road and Old Ferry Wharf Road.
- Harbour Ridge Apts. Are developing 121 multi-family units.
- 2026 Boucherie Rd. is proposing around 100 family units similar to Sage Creek units on the property near the golf course workshops. This will include sidewalks along Boucherie Rd and crosswalks.
- The development at Old Okanagan Rd. and Butt Rd. progressing slowly completing development requirements such as archaeological work.
- Shannon Lake Townhouse project proposal for 24 units.
- Brookside Villa off Spland Road in restarting its first phase.
- Beecroft Fuel Station at Daimler and East Boundary Road is in final phase.
- Hawkings Landing behind Walmart is in final phase and completing off-site improvements such as sidewalks and crosswalks.

Other 2021 Capital Projects in progress are;

- A new bike lane and sidewalk from Bayview Drive to OLD Okanagan Highway.
- Carrington and Gallantly Road roundabout.
- New bike lane, sidewalk, crosswalks from Elk Rd on Carrington Rd.
- Old Ferry Road new lighting, bike lane, sidewalks, deep utilities.
- Campbell Road new lighting, bike lanes, multi-use asphalt pathway, water main/PRV and sanitary lift station.
- Louie Rd and Old Okanagan Highway Road construction.

In addition:

- WFN is participating in a regional planning team that is working on regional projects that include a trail system from Osoyoos to Salmon Arm.
- There is also a current review of the WFN Comprehensive Community Plan to determine Members' vision of the future community.
- In closing, remember property taxes are now due and payable before September 30th.

You can access this information and more on the WFN website. Look under Community and from there you can navigate to your site of interest. There you will also be able to identify the Advisory Council member who represents each district, along with a map showing all of the district boundaries for WFN lands.

Communications Committee Report: Malcolm Metcalfe, Secretary SPHM Ltd. June 30, 2021

SPHM Website Problems and Host Transfer

Over the past several weeks there have been many complaints by homeowners trying to access the sonomapines.info website. Some have used an alternate browser while others have found logging in a second time allows them to enter the site. Also, clearing out their browser's "cookies" history has also helped. They do accumulate over time, and it is recommended to do a "clear out" now and again.

Microsoft has had many updates of late that required our WordPress site to also update its software to be compatible. Unfortunately, the current service provider has been inadequate to allow us to do the updates, so we are running an older version.

As previously approved by the Board, I am now in talks with Stargate Communications in Burnaby to move our website. We may also change our URL which of course will be communicated to all homeowners as soon as it takes effect.

My apologies for any inconvenience that you have experienced over the past several weeks accessing the website but rest assured steps are being taken now to eliminate this problem. Please be patient a bit longer.

Malcolm Metcalfe, Secretary Communications and Investment

Clubhouse Report June 30th / 21

Prepared by: Don Porter Clubhouse Director

Although the Clubhouse is still closed under Covid Rules we have been able to open the GYM from 8AM until 4PM Monday, Wednesday, Thursday, and Saturdays, a maximum of 2 users plus the monitor at one time. Please read the Covid guidelines package on the table at the entrance. Anyone wishing to volunteer as a monitor please contact me <u>donporter2168@outlook.com</u> The Clubhouse management committee is getting a head count of individuals interested in Yoga, if there is enough interest we will source out some instructors and hopefully begin classes in mid to late July once board approval is given.

The Quilting club, Canasta, and Bridge groups will start back when and as Covid Regulations are rescinded.

Clubhouse Maintenance

Repairs to the Woodpecker damaged front entrance have been on hold for quite some time do to the inability to get the replacement boards that are needed, once we have them the Clubhouse Committee and volunteers will complete the repair.

The new and improved Security System has been installed this will allow Wireless access to Gate Cameras. This also means we have a well maintained but older used 3 camera Security System that could be sold to any resident wishing to purchase it. If anyone is interested, please contact me at: <u>donporter2165@outlook.com</u>

One of our elliptical exercise machines that had been requiring repairs is now fixed although it is still out of service to accommodate Covid distancing.

Social Committee Report

Everyone welcomed a new member to the Social Committee - Kerri Schmied. Kerri will be a great asset to the Committee.

REOPENING OF OUR CLUBHOUSE

It was decided that our first Happy Hour would be held Friday, July 9

from 4:00 - 7:00. This Happy Hour will be conducted according to the July 1 Phase 3 Protocol. The theme would be Welcome Back to the Reopening of the New and Improved Clubhouse. There will 4 Door Prizes (2 \$20. Tim's cards and a Bottles of Red and a Bottle of White Wine! We will also hold the 50/50 draw!

All people attending are to bring their own snacks and beverages.

FREQUENCY OF HAPPY Hours

It was decided that Happy Hours will, once again, be held every other Friday evening.

SOME FUTURE EVENTS SCHEDULING:

August 20 was established to be Trivia Night. There will be 60 People allowed to attend and there will be a date, established in the future,

to decide the cut off date for Registration.

The Garage Sale will be held on September 11. In conjunction with this event, there will be a Hot Dog Sale. Homes, that wish to participate in the Garage Sale, will charged a \$5.00 entry fee! OTHER EVENTS:

Registration is now taking place for Mahjong, and Canasta.

Please contact: Hazel Wolski 250-768-3546 hazelandmarshall@yahoo.com

Welcoming Committee Report - Not available at this time.

INSURANCE COMMITTEE REPORT

June 30, 2021

Members: Lloyd Searcy – Chair Malcolm Metcalfe Linda Metcalfe Mike Trenn

Regrets: Murray Reiter Ernie Verkade Bob Bassett Gail McFadden Sheryl Lobsinger

The Committee discussed the upcoming renewal of the Common Policy through Co-operators as well as the Directors and Officers Coverage and Cyber insurance through Lloyd Sadd with Trisura and CFC Underwriting.

The Board is still seeking a fourth company to provide coverage for the multifamily homes as neither Family Insurance nor Intact Insurance will provide coverage to those homes. Both Family and Intact will provide coverage to the single-family homes while naming SPHM and WFN as additional insureds.

The Committee agreed that the Corporation should update the insurance appraisal through Kent McPherson in order that our common policy reflects a current appraised value. The previous appraisal included the multifamily homes and this information is no longer relevant.

The Committee also agreed that, provided the quote from the Co-operators is similar to last year that the coverage should be placed with them considering that no other insurance company would provide coverage for the common assets last year.

We are obliged to that full replacement coverage under the headlease. We are advised by the Cooperators that if the Corporation insures the common policy to 90% of the appraised value that the policy will reflect full replacement coverage. SPHM Ltd. (Sonoma Pines Homeowners Management Ltd.) Irrigation & Water Conservation Committee

MONTHLY MEETING MINUTES Date: June 22, 2021

Time 9:00 am

Present: Doug, Brent, Mike, Gary (chair), Blake - absent (CSC)

Location: Sonoma Pines Clubhouse - 3999 Sonoma Pines Drive

Agenda

1. Call to Order: 9:02 am

- 2. Additions to agenda 8a) and 8b)
- 3. Adoption of May 2021 minutes M/S/C
- 4. Financial Report
 - a. Report was sent out to the committee by Gary. There have been many repairs and leaks that have added to the costs of irrigation this year.
- 5. CSC Report not available
- 6. Old Business
 - a. Field infrastructure tagging system color maps have been printed out and we can start cross referencing in the field. Our first field meeting with be on July 6th at 9 am meet at Mesa Visa.
 - b. Call for volunteers thanks to Doug for joining the committee. We can always take more help if anyone is interested.
- 7. Water Conservation
 - a. Water Conservation Tips draft has been circulated for review and comment Gary to review one final time and take to the Board as part of the monthly report. The committee recommends that the tips be posted on our website as well as emailed out to all residents.
 - b. Committee discussed what other proactive measures and actions we could take moving forward.

i. We would like to determine the cost of water as currently Sonoma Pines does not pay for water by volume but by flat rate. We had some ideas on how to achieve a rough cost and an update will be provided at our July meeting.

- 8. New Business
 - a. System Pressure Issues We have had some issues with high pressures causing problems in the Madera/Siringo area. We made modifications to the irrigation control box for the area and replaced the pressure reducing valve which was malfunctioning.

The committee will be checking the other main connections to determine if there are similar problems that may have to be dealt with.

- b. Emergency Shutoffs the committee located all the main shut offs for the irrigation systems. These shut offs will be used in case of emergency. Gary sent out the written list of main shutoff locations to the committee with a brief description of the coverage areas for each of the shut offs. The committee members could be contacted in case of emergency. The list is in order of contact priority.
- 9. Correspondence none.
- 10. Next Meeting July 27th at 9:00 at the Clubhouse
- 11. Adjournment- 9:55 am

Board Directive Approval of Alteration and Landscaping Requests

Preamble

This document represents the SPHM Board policy and procedures respecting the approval of Alteration and Landscaping Requests.

Whether you are a Single or Multi-Family homeowner, in many instances you are required to obtain written approval before altering property. The approval process is necessary "to protect and retain the uniform and prestigious look that inspired us to purchase in the first place". We are aware that standards have evolved throughout the community with each new phase. A "uniform" look does not mean that all residences will be subjected to the same exact standards; however, the alteration will have to marry the overall look and current safety standards. In general terms: our homes and landscape must be maintained so that they do not substantially depreciate the value of other land and buildings in the vicinity.

In considering an Alteration or Landscaping Request the Board shall consider the following:

- 1. Does the alteration change the appearance of the home?
- 2. Is the alteration visible from the street or any street in Sonoma Pines?
- 3. Is the request similar to other alterations on the applicant's street?
- 4. Is the request consistent with the guidelines contained in the Alteration Reference Table?

The Alteration Reference Table is intended as the minim*um standard for alterations* and is a guideline rather than the final determination on any Alteration or Landscape Request.

Approval Process

Owner's requesting alterations to their property or landscaping shall complete an Alteration or Landscaping Request form and submit the request and accompanying documents to the Community Services Coordinator at sonomapinescsc@gmail.com. That request must include:

- 1. A signed application detailing the description of what alteration is being requested
- Where physical changes are being undertaken to the property, the request shall include a diagram of what is being requested; in the case of structural changes drawings are required (in some cases engineered drawings will be required)
- 3. The written approval of neighbours on each side of the property
- 4. In the case of awnings or sunscreens, a sample or photograph of the fabric selected as well as the color of any accompanying hardware
- 5. A copy of the contractor's insurance; \$2 million in liability insurance is required

The Community Services Coordinator may visit the site to obtain additional information. If necessary, the two designated Board members shall make a visit if requested by the applicant together and, may be accompanied by other Board members where appropriate.

Once all the necessary documentation has been received it shall be reviewed by two Directors designated by the Board for such purposes who shall have the authority to preapprove routine applications on behalf of the Board. These routine applications will be permitted to proceed immediately and will receive retroactive approval of the Board at its next meeting.

If the application does not meet the minimum requirements of the Alteration Reference Table or the two designated Board members are not in agreement on the approval, the request shall be submitted to the next Board for review by the entire Board.

Board Directive Alteration Reference Table Revisions

Whether you are a Single or Multi-Family homeowner, you are required to obtain written approval before altering property. The approval process is necessary "to protect and retain the uniform and prestigious look that inspired us to purchase in the first place". We are aware that standards have evolved throughout the community with each new phase. A "uniform" look does not mean that all residences will be subjected to the same exact standards; however, the alteration will have to marry the overall look and current safety standards. In general terms: our homes and landscape must be maintained so that they do not substantially alter the homes appearance or depreciate the value of other land and buildings in the vicinity.

Awnings Outdoor Shades Privacy Screens

Fabric color must be approved by the Board and compliment your house color and its appearance and the quality must match current community standards.

Awnings vary in quality. In order to maintain a uniform look throughout the community and to prevent replacement of hardware which would require new perforations into the stucco each time; your awning, sunshade or privacy screen must be a new installation (used is not acceptable) and your choice of awning must come with a 10-year warranty against fading, rot and mildew on fabric, and a 10-year warranty on hardware. The hardware must be either black or beige.

Awnings, shade or screen must be of appropriate size for the chosen area. Sunshades or privacy screens shall only be approved for side installations and are not approved for installations along the length of the deck or patio or directly facing a roadway. Awnings cannot be to be lowered less than four feet from the surface below the awning. Awnings, sunscreens, or privacy screens shall not be used to enclose a deck or patio.

Accordion style awning, shade and privacy screen require written notice to the neighbours affected by the alteration.

Privacy screen must be retractable and must installed in channels anchored to the wall.

When open, awning must not interfere with neighbors' view or obstruct landscaping maintenance crew.

Must be professionally installed.

Acknowledgement of Neighbours

- □ I acknowledge receipt of the attached Alteration Application and hereby give my consent to the application.
- □ I acknowledge receipt of the attached Alteration Application and further acknowledge that I have 10 days to deliver any comments regarding the application to the Board by emailing them to <u>sphmboard@gmail.com</u> or to arrange a presentation to the Board before approval is granted

The Applicant must provide a signed copy of the Acknowledgement of Notice form for each neighbour affected by the application.

Board Directive HOME MAINTENANCE AND REPAIR

On January 28, 2021, the Shareholders amended the Articles of Incorporation to clarify who is responsible for the repair and maintenance of the common property.

27.5.9 Repair and Maintenance of Property by the Company New 2021

- (a) The Company must repair and maintain the common assets of the Company that including but not limited to the clubhouse, the fences and gates, the roads, drainage and sewer systems, waterworks, fire prevention and security systems located in the Common Areas;
- (b) The Company must repair and maintain the following, within the multi-family homes section, pursuant to the multi-family sublease, no matter how often the repair or maintenance ordinarily occurs:
 - (i) the structure of the residential homes including the foundation;
 - (ii) the exterior of the residential homes including the stucco;
 - (iii) vents, stairs, balconies and other things attached to the exterior of a residential home;
 - (iv) doors, windows and roofs on the exterior of a residential home;
 - (v) railings and similar structures that enclose patios or balconies;
 - (vi) driveways and patios

unless those items are damaged by a malfunction of a homeowner's installation, any alterations by a homeowner or previous homeowner or damage arising from attachments to the exterior of a Multi Family Unit.

COMMON ASSETS

1) Those parts of the common assets that include, but are not limited to, the clubhouse, the fences and gates, the roads, drainage and sewer systems, waterworks, fire prevention and security systems located in the Common Areas.

All 495 homeowners contribute equally to the maintenance of these assets all owners have the same rights to use the Clubhouse, the roadways, sidewalks, pathways, etc. and benefit from a common drainage and sewer, water system, fire preventions systems including fire hydrants and any security systems that the Corporation owns.

The Corporation does not own the underground gas, electrical, telephone or cable systems and does not maintain or insure those services.

Repairs to the Clubhouse, roadways, sidewalks, pathways, drainage and sewer systems, water system, fire preventions systems including fire hydrants and any security systems that the Corporation owns are maintained in two ways:

a) All 495 homeowners contribute equally to the maintenance of these assets all owners have the same rights to use the Clubhouse, the roadways, sidewalks, pathways, etc. and benefit from a common drainage and sewer, water system, fire preventions systems including fire hydrants and any security systems that the Corporation owns.

These assets are maintained though the Common Operating Budget that contains allocations to undertake annual maintenance and repairs in the Clubhouse, our roadways, fences, sewer and water systems, irrigation, etc. As an example, the Common Operating Budget includes an allocation for the regular cleaning of Clubhouse, for repairing and maintaining the irrigation

system on the common property (single family homeowners are responsible for the irrigation system on their property, snow clearing, fence painting, etc.

Generally speaking, these expenditures occur every year, are intended to maintain rather than replace and asset, and are funded from the Common Operating Budget.

The replacement of fixed assets such as fences, roadways, sewer, and water systems are generally funded from the Common Contingency Reserve Fund.

The Corporation maintains insurance on the underground services but, generally speaking, that insurance covers any collateral damage caused by water main or sewer breaks or similar events but does cover the actual cost of the repair.

Single family homeowners are responsible for utility services to their property line and should ensure that their insurance policy covers damage to the utilities on their property.

MULTIFAMILY DEVELOPMENT

Article 27.5.9 (b) applies solely to the multifamily family development and provides for the following:

- (b) The Company must repair and maintain the following, within the Multi-family homes section, pursuant to the Multi-family sublease, no matter how often the repair or maintenance ordinarily occurs:
 - (i) the structure of the residential homes including the foundation;
 - (ii) the exterior of the residential homes including the stucco;
 - (iii) vents, stairs, balconies and other things attached to the exterior of a residential home;
 - (iv) doors, windows and roofs on the exterior of a residential home;
 - (v) railings and similar structures that enclose patios or balconies;
 - (vi) driveways and patios

unless those items are damaged by a malfunction of a homeowner's installation, any alterations by a homeowner or previous homeowner or damage arising from attachments to the exterior of a Multi Family Unit.

Structure of the Home

The Corporation is responsible to maintain the structure of the home including the foundation. This would include, but not be limited to, cracks and shifting that affect the integrity of the home.

Exterior of the Home

The Corporation is responsible to keep the exterior of the home in good repair including its appearance. This would include painting the home if necessary, repairing cracks in the stucco that threaten the building envelop.

Things Attached to the Exterior of the Residence

There are several things attached to the exterior of homes, some for safety, others to ensure the integrity of the building envelop. Dryer and furnace vents are essential to prevent building leaks and are maintained and repaired by the Corporation. Some homes have stairs, others have raised decks or balconies, all of which are the responsibility of the Corporation to maintain their integrity and safety.

There are other things attached to your home that are not maintained or repaired by the Corporation as they are the terminal points for services emanating from your home. Such

examples are exterior water bibs, exterior electrical boxes, air conditioners, light fixtures, and gas connections for your barbeque.

The Corporation is responsible to bring sewer and water services to your home, sewers and drains that are clogged as a result of negligence are the responsibility of the multifamily homeowner while broken sewer or water lines would be the responsibility of the Corporation as long as that break occurs outside the building envelop. Utility providers such Corix, TELUS and Shaw provide services such gas and electrical connections and communication services to your home. Most residential home insurance policies offer extension coverage on these underground services and such coverage is recommended by the Corporation. Anything else that has been attached to your home by the homeowner after construction including, but not limited to awnings, sunshades, satellite dishes, air conditioners and pergolas or arbors are the sole responsibility of the owner to repair and maintain.

Doors, Windows, and Roofs

Doors, windows, and roofs are part of the building envelop and repaired, maintained, and replaced due to wear and tear. The Corporation is responsible to replace windows with broken seals, warped doors or windows frames that fail.

The Corporation is responsible to repair or replace the roof due to normal wear and tear or aging out. Damage caused to the home roof as a result of hail, rain or high winds or other perils is covered by the homeowner's insurance policy.

Railings

Railings are there to ensure the safety of the home's occupants and will be repaired or replaced by the Corporation.

Driveways and Patios

The repair and replacement of driveways and patios is the responsibility of the Corporation.

Disclaimer

The Corporation shall undertake repairs and maintenance at its sole discretion and shall reply upon the professional advice of engineers, window suppliers, roof inspectors and other professionals when making decisions respecting the repair of multifamily homes.

Board Directive BYLAW ENFORCEMENT AND THE COMPLAINTS PROCESS

Preamble

Schedule E represent the Bylaws, Rules and Regulations of Sonoma Pines Homeowners Management Limited (SPHM). These bylaws serve a variety of purposes:

• Fees

Bylaw 1(1) regulates how and when our fees are collected and sets any interest and fines on any outstanding fees owing to SPHM. Bylaw 1(2) regulates that any monies received by the Company from homeowners shall first be applied firstly to any interest owing and secondly to any outstanding Special Levy, thirdly to any fines or penalties levied by The Company, and lastly to the monthly homeowner's fees.

The Articles of Incorporation give the shareholders of the Company the ability to collect Special Levies when they are deemed necessary, the Bylaws contained in Schedule E give the Company the ability to levy fines against homeowners to ensure compliance with Schedule E.

• Ensuring Uniformity

The Bylaws are intended to ensure uniformity in the community by regulating that homeowners are required to maintain their property as originally built including the appearance and color of the home. Any variation from that appearance requires that the homeowner submit an Alteration Request to the Board for approval. Unapproved alterations can be subject to disciplinary action including fines of up to \$500 per week.

• Permitted Behaviour

Living in a community where the homeowners share the use of facilities such as the Clubhouse and, in the case of multifamily homeowners, common property around their home, requires guidelines as to what is accepted behaviour, rules respecting pets, what you can place on your balconies and decks, when Christmas lights can be put up and must be taken down, and several other administrative issues.

Generally speaking, Bylaw 3 is where the Board receives the most complaints from as it deals with unreasonable noise, the enjoyment of your property, using your property in an inappropriate manner, direction about which pets are acceptable, when they must be leashed, what type of fire pits are acceptable, etc. Bylaw 3 also defines what is acceptable behaviour towards other homeowners, volunteers, the Board, our employees, and contractors.

D) Exclusive Use Areas

Since Sonoma Pines is a community of 154 single family homes and 341 multifamily homes, some definition was required as to what homeowners can do on their property. Single family homeowners have much greater freedom as their lease provides them with the exclusive use of the property as defined in their lease; there is no common property

on a single-family lot. That said Bylaw 7 stipulates that any alterations to the exterior of the home or landscaping still require the homeowner to submit an Alteration Request for approval by the Board.

The lease with multifamily homeowners is quite different as the Company is responsible for the exterior of the home and all grounds surrounding it. Simply put, multifamily homeowners own the right to use the interior of their home while the Company maintains the exterior as provided in 27.5.9 of the Articles of Incorporation. However, the shareholders have agreed that multifamily homeowners have an Exclusive Use Area as defined in Bylaw 4 (2) which states that:

- 2) Every owner in the multifamily development has the exclusive use of the area marked "EUA" on the Plan described in Schedule B of their Sublease, plus the personal use of portions of the common property adjacent to their home, which shall include:
- the area from the front wall or garage to the street to the edge of the paved driveway on one side to the median between the neighboring home or, where no such home is present, three meters from the side wall of the home; plus
- the area from the exterior wall to the edge of the deck and patio areas; plus
- any landscape or rock filled beds.
- As with single family homeowners, any alterations to the exterior of the multifamily home or landscaping still require the homeowner to submit an Alteration Request for approval by the Board as required by Bylaw 7.

E) Rental Restrictions and Advertising

Schedule E also regulates how you can rent your home. Bylaw 5 stipulates those rentals must not be for less than 60 days and must be in conformance with the Bylaw. Bylaw 6 does not allow homeowners to advertise rentals of less than 60 days and advertisements that reflect that are considered to be an automatic violation of Schedule E and subject to a fine.

F) Complaints and Bylaw Enforcement

Bylaw 11 sets out the definition of a complaint. (The process in filing a complaint will be described below).

Bylaw 12 sets the maximum fine at \$500 for each contravention of a Bylaw, Rule or Regulation contained in Schedule E. To be clear, if the homeowner is found to be in violation of the Bylaws after the receipt of a complaint covering multiple Bylaw violations *it is possible that the homeowner could be fined the maximum fine on each and every contravention.*

Bylaw 13 stipulates that those fines can be imposed every seven days if the contravention continues.

Bylaw 14 (1) states that:

1) The Company shall be entitled to take any and all action as permitted under the Sublease Agreement for breaches of these Bylaws, which continue for a period of longer than 30 days.

To be clear, under certain circumstances that action could include the termination of your lease.

g) Damage to Common Property, Parking, and Insurance

Bylaws 17 and 20 relate to obligations of owners if there is damage to the common property by the homeowner, guest or visitor (damage to the interior of your home or that of a neighbor is covered by your home insurance).

Bylaw 18 regulates parking within the community.

Section 10 of the single-family Sublease and Section 11 of the Multifamily Sublease require that every owner purchase all risk insurance coverage for their home.

Appendix A

This Appendix contains Rules and Regulations related to the RV Lots, Landscaping and Alteration Requests.

The Alteration Reference Table is intended as a guide for homeowners but does not represent guaranteed approvals for those alterations as circumstances can vary from home to home.

BOARD RESPONSIBILITES

Each homeowner's sublease sets out that the Homeowners Association (now the Company) will conduct its affairs in accordance with the Schedule of Standard By-laws set forth in the Strata Property Act RSBC and amendments thereto or any successor legislation thereto, except where they conflict with Rules and Regulations in Schedule E which will prevail. The Board has revised Schedule E and the Articles of Incorporation and no longer uses the BC Strata Property Act for guidance.

It is the responsibility of the Board to rule on whether a bylaw violation has occurred upon receipt of a formal complaint and generally does not seek out violations unless they are brought to the attention of the Board. On rare occasions the Board will consider bylaw violations without a written complaint.

The complaints process is best likened to the legal system where there are plaintiffs, defendants and a judge and jury. Individuals wishing to file a complaint are best compared to the plaintiff, the individual who the complaint has been lodged against would be the defendant and the Board would be the judge and jury.

Some exceptions to that process may include:

- a. Alterations to homes that have not been approved
- b. Parking violations

c. Plants that are not approved

Generally speaking, the Board does not interpret what violations have occurred, that is up to the complainant to make clear.

Once a complaint has been received that meets the criteria established in Bylaw 11, the Board will have Coldwell Banker notify the offending party and advise them that they have 14 days to request a hearing before the Board or respond to the complaint.

FILING A COMPLAINT

Bylaw 11 (reprinted below) is clear on how a complaint must be filed with the Board.

How to submit a compliant

Bylaw 11(1) is clear that complaints must be received in writing or via email and must contain the name and address of the complainant. Verbal complaints will not be acted upon. The complaint must also include:

- who the complaint is being made against including their name or address (preferably both)
- the date and time that the offense occurred
- the bylaw that has been contravened

It is not sufficient to complain that the neighbor's dog is barking you must state the date and time that this occurred which bylaw has been contravened. There is no bylaw about barking dogs, but that behavior could be considered as "unreasonable noise" as provided in Bylaw 3 (1) (a) depending upon the time of day that the offense occurred. While a barking dog may be considered reasonable at 2PM it may constitute "unreasonable noise" at 2AM.

So, you must be specific about which Bylaw you are complaining has been violated; the Board will not interpret your complaint as it is the Board's responsibility to pass judgement on it.

Your name will never be released to the offending party.

The offending party has 14 days to request a hearing or provide a response to the Board. After that time has passed the Board will consider whether it is a valid complaint or not and whether disciplinary action is required. That disciplinary action can range from a warning letter to a fine of up to \$500.

Depending upon the nature of the offense fines usually start at \$50, continuing contraventions or repeat offenses will likely result in fines of increasing amounts.

Decisions regarding complaints are made during the In-Camera Session of the Board. Complainants will be notified once a decision by the Board has been made.

BYLAW 11 Complaints and Disciplinary Action

- Complaints to The Company by owners must be received in writing or by email and must identity the name of the complainant, which owner or address the complaint is against, the date that the offense occurred, and which bylaws or clauses of the sublease have been violated. The name of the complainant shall not be released to the offending party. *New 2021*
- 2) The Company shall notify the offending owner of the complaint and allow that owner to make a presentation to the Board regarding the offense within two weeks of the written or email receipt of the Notice of Violation. *New 2021*
- 3) In considering any disciplinary action the Board shall utilize the principal of progressive discipline where owners are provided with a single warning. If the contravention continues the Board may levy fines in accordance with the section below detailing fines. *New 2021*
- 4) At its sole discretion, where the Board considers the offense to be egregious, the Board may levy the maximum fine allowable without prior warning. *New 2021*
- 5) The decision of the Board regarding any disciplinary action is final and without the right of appeal. *New 2021*

Board Directive

Guidelines for an Annual or Special General Meeting Package

PURPOSE

Annual General Meeting

An Annual General Meeting is held once each year for the following purpose:

- 1. To approve the annual budget for the Corporation and the homeowner's fees for the coming year.
- 2. To approve any changes to the Articles of Incorporation or Schedule E (the Bylaws).
- 3. To authorize any expenditures from the Common or Multifamily Contingency Reserve Funds.
- 4. To pass any Special Levies.
- 5. To approve the minutes of the previous Annual General Meeting or Special General Meeting.
- 6. To election the Board of Directors.

Special General Meeting

A Special General Meeting may be held for a variety of purposes including:

- 1. Revising the annual budget and the homeowner's fees;
- 2. To pass an urgent Special Levy;
- 3. To recall and remove an elected Director;
- 4. Any other purpose that is deemed to be urgent;
- 5. As requested by an owner pursuant to the Articles.

NOTICE

The package must be sent out twenty-one days before the date of the meeting. Packages sent out by email or mail are considered to be within the accepted timeframe. The time frames are defined in Article 10.1 as follows:

10.5 Record Date for Notice

The directors may set a date as the record date for the purpose of determining shareholders entitled to notice of any meeting of shareholders. The record date must not precede the date on which the meeting is to be held by more than two months or, in the case of a general meeting requisitioned by shareholders under the *Business Corporations Act*, by more than four months. The record date must not precede the date on which the meeting is held by fewer than:

- (a) if and for so long as the Company is a public company, 21 days;
- (b) otherwise, 10 days.

If no record date is set, the record date is 5 p.m. on the day immediately preceding the first date on which the notice is sent or, if no notice is sent, the beginning of the meeting.

Who May Vote

Shareholders who owned shares on the Record Date for Voting may vote in any Annual or Special General Meeting. The record date for voting is governed by Article 10.6 but is

generally accepted to be 5PM the day before the Notice of the Meeting is sent out to the shareholders.

10.6 Record Date for Voting

The directors may set a date as the record date for the purpose of determining shareholders entitled to vote at any meeting of shareholders. The record date must not precede the date on which the meeting is to be held by more than two months or, in the case of a general meeting requisitioned by shareholders under the *Business Corporations Act*, by more than four months. If no record date is set, the record date is 5 pm on the day immediately preceding the first date on which the notice is sent or, if no notice is sent, the beginning of the meeting.

Meeting Quorum

The quorum for meetings is governed following Article: **11.3 Quorum**

Subject to the special rights and restrictions attached to the shares of any class or series of shares, the quorum for the transaction of business at a meeting of shareholders is two persons who are, or who represent by proxy, shareholders who, in the aggregate, hold at least 10% of the issued shares entitled to be voted at the meeting.

Certifying Votes or Proxies

Each household (address) is entitled to two votes and the Notice of the Meeting should state this. The Notice of the Meeting should also state how many votes are required for the various Resolutions. Once the proxies and those present at a meeting are counted, the percentage required to pass each type of resolution is calculated based on the votes or proxies PRESENT at the meeting.

MAJORITY VOTE RESOLUTION: "Majority Vote" means a vote in favour of a resolution by more than 1/2 of the votes cast by <u>eligible voters who are present in person or by proxy</u> <u>at the time the vote is taken</u> and who have not abstained from voting. The Majority Resolution applies to procedural items such as approving the agenda of the meeting, approving the minutes of prior meetings, approving reports from the Board and approving the Annual Budget.

2/3 VOTE RESOLUTION: "2/3 vote" means a vote in favour of a resolution by at least 2/3 of the votes cast by <u>eligible voters present in person or by proxy at the time the vote is</u> taken and who have not abstained from voting. A 2/3 vote is required for all Special Business except agenda items that require a Majority Vote or a ³/₄ vote. Special Business is defined in the Article 11.1 of the Articles of Incorporation.

¾ VOTE RESOLUTION: "**¾ vote**" means a vote in favour of a resolution by at least **¾** of the votes cast by <u>eligible voters present in person or by proxy at the time the vote is taken</u> and who have not abstained from voting. Items that require a **¾** vote include:

- Expenditures from the Contingency Reserve Funds
- Changes to the Articles of Incorporation or Schedule E (the Bylaws)

- Changes in the number of members on the Board
- The passing of Special Levies
- Changes to the Common Property
- Initiating legal action except for legal action under the Small Claims Act as provided in Bylaw 19.1

Meeting Agenda

The meeting Agenda should follow the following format:

- 1. Certify Restricted Proxies and establish a quorum.
- 2. Call the meeting to order
- 3. Confirm that the Chairperson, Vice-Chair or individual elected from the floor will chair the meeting
- 4. Present proof of Meeting Notice
- 5. Review method of voting for Electronic Meetings
- 6. Approval of the Agenda
- 7. Approval of the Minutes from the last Annual General Meeting or Special General Meeting
- 8. Report on Insurance Coverage
- 9. Review of the financial statements
- 10. Approval of the Operating Budget
- 11.New Business
- 12. Changes to Bylaws/ Rules or Articles of Incorporation
- 13. Election of Directors
- 14. Adjournment

RESOLUTIONS

Resolutions should be drafted so that their purpose is clear and what type of vote is required to pass the Resolution. If funding is required to complete the action in the Resolution, it should be clear where the funds are to come from and the amount which the expenditure shall not exceed.

EXAMPLE:

BE IT RESOLVED by a majority vote of the shareholders of SPHM Ltd. Approve an annual Operating Budget in the amount of \$. Resolutions for Special Levies must indicate what the funds are required for, the amount of the Special Levy and how it will be assigned and collected from the shareholders and when it must be paid in full by. It must also indicate how excess funds will be returned to the shareholders.

EXAMPLE:

BE IT RESOLVED by a ³/₄ vote of the shareholders that a Special Levy to resurface Sonoma Pines Drive be approved in an amount not to exceed Five Hundred Thousand Dollars with each owner contributing One Thousand Dollars with the Special Levy to be paid in full by the shareholder no later than October 31, 20XX with any excess funds returned to the shareholders equally.

DOCUMENTS AND ATTACHMENTS

The General Meeting package which is sent out MUST include any related attachments such as:

- Proxy Forms
- Minutes of Previous meetings
- Financial statements (for AGMs)
- Budgets and fees schedules
- Certificates of Insurance (for AGM's)
- Reports of the Board such as Annual Reports

SAMPLE PROXY

(Non-Restricted Meeting)

At a non-restricted General Meeting voters are issued voting cards which are distributed after your address is confirmed when they enter the meeting room. Proxy holders may also receive the voter's card for the address and shareholders they hold their proxy for. We DO NOIT RECOMMEND proxies that allow the proxy holder to vote the shares without specific directions from the shareholder. Therefore, any proxies that are provided pursuant to an Annual or Special General Meeting should have the shareholder indicate IN FAVOUR or OPPOSED to each resolution being voted upon (please see the Restricted Proxy below).

SAMPLE RESTRICTED PROXY

Sonoma Pines Homeowners Management Ltd. (SPHM)

Due to the restrictions on community gatherings, the Corporation is attaching this restricted proxy for our Annual/Special General Meeting.

- The proxy will be represented by the designated council member.
- Each instruction will be voted as restricted, no amendments will be permitted, the accurate count of each vote will be recorded in the minutes of the meeting and the restricted proxy will be retained for a period of 2 years following the date of this meeting and available for inspection when circumstances permit.
- Agenda items 3,5,6, 8 and 10 are procedural and the designated proxy holder is authorized to ratify each by majority vote.

This proxy shall constitute the person attending by proxy to meet quorum requirements for a meeting.

• Resolutions 9 (a), (b) and (c) and Resolution 11 (a) set out below require your vote.

Please be sure to fill in your address on each page of this Restricted Proxy and that you have also signed where indicated on each page.

Drop your proxy in the Mailbox downstairs by 4:00 PM on DATE, 2021. Location: Clubhouse lower-level OR

Scan/photograph and email this completed proxy to sphmboard@gmail.com for SPHM Ltd.

Restricted Proxy for a Specific Meeting

Proxy

Address_____

I/WE, _____(names) the undersigned, being a holder of common shares ("Common Shares") of Sonoma Pines Homeowners Management Ltd. (the "Corporation"), hereby appoints NAME OF DIRECTOR, or failing him, NAME OF DIRECTOR, as proxyholder, with power of substitution to attend, to act, and to vote for and on behalf of the undersigned for all purposes except the election of Directors for which we appoint NAME as Proxyholder on the same terms, for the Restricted Proxy Annual Meeting (the Meeting) of the holders of Common Shares (the "Shareholders") on DATE, 2021 at 11:00 AM PST, and at any adjournment that may take place thereat, in the same manner, to the same extent, and with the same power as if the undersigned were present at the Meeting. Without restricting the general authorization and power hereby conferred, the designee named above is specifically instructed to vote the Common Shares to which this Form of Proxy relates as set out below.

Signature of owner _____

Signature of owner _____

Agenda items 3,5,6, 8 and 10 are procedural and the designated proxy holder is authorized to ratify each by majority vote.

TO VOTE, EACH RESOLUTION <u>MUST</u> HAVE ONLY <u>TWO (2)</u> BOXES CHECKED. Each Household has <u>2</u> votes per resolution, whether a single owner or two owners per household.

10 (a) Majority Vote Resolution AGM 202X– A

BE IT RESOLVED by a majority vote of the shareholders of SPHM Ltd. Approve an annual Operating Budget in the amount of \$XXXXXX.

11 (a) Three Quarter Vote Resolution AGM 202X- B

BE IT RESOLVED by a 3/4 vote of the shareholders of SPHM Ltd. authorize the Corporation to expend up to One Hundred Thousand Dollars on fence replacement from the Common Contingency Reserve Fund.

Vote One	Vote Two			
In Favour	Opposed	In Favour		Opposed

12 (b)Three Quarter Vote Resolution AGM 202X– C BE IT RESOLVED by a 3/4 vote of the shareholders of SPHM Ltd. approve the following change to Schedule *E* (the Bylaws)

"Pets shall be on a leash at all times on the common property."

Vote One

Vote Two

In Favour Opposed In Favour Opposed

BALLOT FOR A RESTRICTED PROXY ELECTION ELECTION OF DIRECTORS

MARK YOUR BALLOT WITH AN OR A BESIDE THE CHOSEN NAME AND APART FROM FILLING IN THE ADDRESS, NAMES, and SIGNATURES, MAKE NO OTHER MARKS OR NOTATIONS ON THE BALLOT AS IT WILL BE CONSIDERED "SPOILED"

FOR EACH VOTE BELOW YOU CAN VOTE UP TO SEVEN TIMES

	VOTE ONE	VOTE TWO
THOMAS ALLAN		
NANCY BAKER		
HAROLD FROST		
CHARLIE LINCOLN		
ROBERT MORRIS		
WILLIAM PARDE		
TERRI RICHARDS		
CONNIE WILLIAMS		

Proxy Address_____

I/We, ____

{name(s),

the owner(s)/mortgagee of the address described above, appoint ex-officio board member, **NAME** to act as my limited/restricted proxy for the sole purposes of electing the 202X/202X Directors at the Annual General Meeting to be held on DATE, 202X at Sonoma Pines, and I(/We direct him to vote as set out above..

Signature of owner _____

Signature of owner _____