

Summer Gardens

Date: 10 January 2023
From: Board of Directors
To: All Owners
Re: **AGM Follow up**

Several things flow from the AGM:

1. Common Element Renovations

The Board was asked to establish a committee of four, including three non-directors, to consider the possible redecoration of the common elements, including in particular the Blue Room and the elevator lobbies on the residential floors. The process is to be supervised by the Board, with monthly reports to the owners.

The Board had already appointed Catherine Bent as a committee of one, with power to add, to look at the furniture in the Blue Room, and we have expanded the mandate of this "committee" to look at the wider question.

The Committee consists of the following owners:

- *Catherine Bent – 1302 (Secretary of the Board)*
- *Di Palmetter - 1803*
- *Lynn Fraser - 505*
- *Barb Smith - 1102*

2. Common Element Rules revision

The Board undertook to look at revision of a few provisions of the old Rules and regulations that were carried forward to Rules, particularly with respect to ***pets***, ***pool/gym sign-up rules***, and ***hours of work***.

Pets – A memo setting out proposed revisions of the rules with respect to Pets is attached.

Please provide any comments to the board, preferably in writing, by a note which can be left with the Building Manager or Commissionaires, or by email to summergardens@bellaliant.net

Pool/Gym Sign-up Rules

After the cancellation of the Covid Emergency we introduced the present system - a trial until the end of June. We invited feedback but we received none until the Town Hall meeting, when a few owners expressed dislike of the system. We feel that the present system, with periods of open time and other periods where sign-up is required, is working well. Many of our residents are still concerned about Covid exposure. However, we invite comments from owners, as above.

Hours of work

The old Rules and Regulations included a provision that:

" ... Noisy repairs such as carpentry shall normally be carried out on weekdays only, from 9:00 am to 5:00 pm. If work is required at other times, the building manager must be consulted. ..."

Despite this, the Board has been directing that noisy work must be done between 9:00 and 2:00 pm. At the Town Hall it was pointed out that this increases the cost for those doing renovations and does not reduce the time that the noisy work takes – it just spreads it out and, indeed, might extend it.

We invite comments from owners for a restriction to be included in the By-laws. While that is in process, Board construction approval letters will state that noisy construction must be carried out only between 9:00 and 5:00 pm, Monday to Friday (not the 9:00 to 2:00 that we have been stipulating).

Other miscellaneous provisions:

We carried forward a few other "rules" that are probably invalid as applying in the units and are of questionable value in any case: (no waterbeds, two-residents-to-a bedroom) and others should probably be fine-tuned (carpeting). As they deal with activity in the units, they should be moved to the By-laws if they are to be kept at all.

The Board will circulate a further proposal for these revisions in future.

3. EV Infrastructure

At the AGM we reported that we might expand the common elements to include the provision of a separately-metered 220v electrical outlet at each parking space. This would permit each owner to install his or her own charger when they need one and pay for the power on the domestic rate. This project would be expensive, and there are other issues. First, it might require another electrical room, and it is not clear that we have or can create that space. Second, most government funding programs apply only to installed chargers – not just infrastructure. Third, having a separate meter involves paying a separate monthly “customer charge” on the power bill of about \$12 unless we can persuade NSPI to permit the two bills to be aggregated.

An addition to the common elements would have to be approved by a vote of all owners¹. We would have to fund the project from either a special assessment or a loan to be repaid through our monthly rates – either of which require owner votes². We cannot divert Reserve Fund money, but we could use some Contingency Fund money.

The Board has authorized use of Contingency Fund money to engage an electrical engineer for advice on this project.

4. Virtual Meetings

We should revise the By-laws to provide for virtual meetings of the owners and of the Board, and also to provide for giving notice by email. (We have been giving notice of everything electronically for some time, and we are probably onside because the *Electronic Commerce Act* permits delivery of electronic documents, but it would be nice to clarify this in the By-laws. They now specify delivery by first class mail.)

The Board will provide a further proposal for these procedural amendments in future.

¹ An addition to the common elements would have to be approved by of 80% of the owners if this is a “substantial” addition, or by majority (soon to go to 66 2/3%) of the owners if it is “less than substantial”. The Act defines “substantial” as 25% or more of the appraised value of the property. Our appraisal for insurance purposes is \$73 million, so this would be less-than-substantial.

² Either borrowing or a special assessment for extraordinary common element expenses requires support of 66 2/3% of all owners.

Dan Campbell – President

Liz Parr-Johnston – Vice President

Terry Mounce – Treasurer

Catherine Bent – Secretary

Penny Durnford – Director

Steve Lunn – Director

Wendell Sanford - Director