

**Capital Hill Apartments
Executive Committee (ExCom) Meeting 25 (6 June 2011)**

Minutes

Monday 6 Jun, 2011 at 6.00 p.m. in Deb's apartment, 201/17

Attendees: David Campbell (205/19), Debra Northover (201/17), Marilyn Jessop (203/17), Horace Saducas (118/23), Gunnar Sirel (28/23), Glenn Ashe (5/17), Shelley Thomson (101/17), Gaye McDermott (207/21), Peter Hodge (108/19).

In attendance: John Whiting, Managing Agent (MA)

Apologies: Nil

Minutes: Rob Northover (201/17)

1. Treasurer's Report

Horace presented the Treasurer's report with no outstanding issues. The invoice (~\$800.00) for the Oil separator cleaning had been processed. The MA reported that levies from 13 owners, totaling approximately \$20,000.00, are in arrears, with two owners unable to be contacted at all. MA to pursue and advise progress.

2. Business Arising from Last Month's Minutes

- a. Web Site – Deb provided a brief update on the web site, identifying the need to conduct some archiving of dated material. She also suggested the inclusion of a web “Community Noticeboard”. She undertook to provide a reminder to tenants of their obligations to seek the concurrence of the Executive Committee for the several cats and dogs known to be on the premises. Jane Whiting's efforts in establishing the web site were again recognised. Horace and others pointed out some anomalies with spelling and logging on. MA to investigate and resolve.
- b. Social Event – David acknowledged that the recent Sunday lunch was well received by everyone.
- c. Window cleaning – Harold Dimpel withdrew from the window cleaning contract claiming a gross under quote mistake in his original estimate. He has claimed that the task should have been quoted at \$2,800.00 and not the “in error” amount of \$700.00. The MA was requested to ask Harold to re-submit a formal tender and also seek an alternate quote for consideration by the ExCom.
- d. Other Becton items – Flooding , cats eyes, concrete cut, pebbles, soffits, individual apartments' floors and water damage. David advised that there had been no further progress with these outstanding items. The roofing contractor has denied responsibility for the faulty soffits and therefore David would pursue the matter with Grant (Becton).
Recent flooding in apartment 8/17 prompted discussion and debate over liability between common property items and personal property items and potential contents insurance excess claim disputes. It appeared clear that external issues were common property issues and issues within the apartment were a personal property issue. It was unclear where the responsibility lay when the issue was within the ceiling space. The MA was requested to investigate the problem/issue with the 8/17 incident and advise.

- e. Video surveillance – Horace provided an update on the quote of \$28,500 for the acquisition and installation for the video surveillance system, including high resolution cameras and siren. David advised that the Articles, without being specific on the point, suggested that costs should be proportional and calculated i.a.w. entitlement formula. He noted that the Sinking Fund provided for capital acquisition and that contributions to that Fund were proportional; he thought the principle was clear. He also advised that an EGM was not required in order to progress the installation because the Articles specifically give the ExCom the authority to do this. Nevertheless, the method of funding (Sinking Fund or Admin Fund) ought to be formally determined. It was agreed that, because of the magnitude and complexity of the proposal, the ExCom would yield its authority to an EGM and let the wider ownership decide the way ahead. ExCom members voted unanimously in favour of a recommendation to install. David and the MA would produce a letter outlining the business case and argument for the installation and distribute this to the individual apartment owners as part of the EGM process.
- f. Fluorescent down-lights – Horace advised that the cost of LED type lamps (approximately \$90.00/unit), for an emerging technology, were simply too expensive for serious consideration. Trial of the fluorescent down-light had continued without failure and he recommended that the ExCom proceed with the replacement of the lamps on failure. In confirmation of last month’s decision, it was agreed that this made economical sense to progress given the potential cost savings (previously provided by Horace estimated a saving of \$460.00/yr). Horace to action.
- g. Pavers Repair – David advised that the tiles had been repaired by the original tile provider, PTS, at \$25.00 per tile in labour costs alone, but still required cleanup after the repairs. MA to follow up with contractor to effect cleaning.
It was noted that these tiles will require ongoing periodic repairs, particularly due to damage from removal traffic. We hold a stock of about 15 square metres of spare tiles.
- h. Exhaust Duct Covers – No progress to report by Horace, given that “ACT Stainless Steel” failed to present and provide a quote. Horace is scheduled to meet with representative from “Capital Stainless Steel” on 7 June. Update to be provided at next ExCom meeting.
- i. Audit of swipes and remotes – Horace tabled a draft survey intended for distribution to apartment owners advising of the upcoming audit/stocktake. Discussion identified a need for the letter to identify a deadline for responses and an explanation of the consequences if the deadline were missed.
Horace advised that he has received the computer training required to Activate/Deactivate the proximity swipes. This would save the need to contract out for this service and would also result in a quicker response.
- j. David debriefed the Committee on the Owners’ Corporation Network (ACT) AGM held on 21 May. He said he was encouraged by the quantity and quality of the participation and was confident that membership of the OCN had the potential to provide value for money. David observed that, from all the anecdotal evidence on display at the AGM, Capital Hill Apartments were in a very good state.

Of particular interest arising from the discussion at the AGM were:

- 1. Photovoltaic (Solar) panels – Although potentially providing considerable cost benefits and savings, the tax liabilities (i.e. whether the Owners’ Corporation was considered, from an ATO perspective, as an Agent or Trustee with differing tax obligations) and implications appeared to be significantly constraining. It is not anticipated that the ExCom will pursue this solar panel initiative in the short term but the matter would be

kept under review.

2. Units Title Act – This is reported to be under review by Minister Corbell to address internal inconsistencies in the new Act and also emerging conflicts with other ACT legislation. These problems do not appear to be of concern to the ExCom at this time but developments will be closely monitored through the OCN.

3. Dog Complaint (20/21)

Gaye informed that the tenant (Tim) was actively pursuing the issue (engaging behavioural therapy for the dog). It was unclear whether there was only one dog involved (whether Tim had one or two dogs), or whether there was another dog (undeclared) in the building. It was agreed that the evidence to support the complaint was inconclusive and required further investigation by Gaye.

David reinforced the requirement for tenants to declare/seek ExCom concurrence for resident pets. (See Deb's undertaking with the web site, above.) MA to liaise with the complainant (20/21).

4. Survey – Building Quality

David referred to the ACTPLA survey on ACT Building Standards that he had earlier distributed. He explained that the origins of the data gathered from responses to the survey were confidential, and would better inform both the insurance industry and government agencies to develop better policies and to help pursue and prosecute rogue operators. He encouraged individuals to respond to the survey regarding their own Apartments and advised that the ExCom would provide a response for Capital Hill overall.

5. Insurance

From David's attendance at the OCN AGM, it was clear that the ExCom needed to better understand our insurance situation. The repeated lesson from the AGM was that the ExCom had an absolute duty regarding maintenance and repairs. Insurance companies would seize on any such neglect or delay and could consequently refuse to accept liability. It was agreed that the ExCom should establish a sub-committee to compile a list of our concerns with a view to consulting an insurance broker to tailor a policy to satisfy the specific requirements of Capital Hill.

The MA to review the current/existing insurance policy and advise.

6. Other Business

- a. State of Stairs and corridors – It was agreed that the stairs and corridors in each building required 'patch and paint' maintenance. The MA was requested to seek quotes from:
 - Joe (Becton handyman)
 - Painter (details as provided by Marilyn)
- b. ACTEW Letter – MA to follow up on whether ACTEWAGL had indeed installed additional pressure regulator ventilators i.a.w. proposed "network gas operation" activity.
- c. Space 11 Car – Deb reported concerns raised by fellow Building 17 residents regarding the long term car parked in car space 11 (Rego YAF-44M). MA to issue letter of enquiry.

7. Date, time and place of next meeting.

Monday 4 July, 2011 at 6.00 pm in Horace's apartment, 118/23.

The Meeting concluded at 8:15 pm.

Approved

David Campbell
Chairman
7 June, 2011