

Capital Hill Apartments, UP3259.
EXECUTIVE COMMITTEE MEETING # 129
Thursday, 9/16 September 2021. 3pm to 5pm.
Minutes

Present (both sessions unless indicated): **Executive Members:** Paul Perkins (PP) 30/23, Chair & Treasurer, Karen Gassner (KG) 12/19, Secretary, Gaye McDermott (GM) 203/17, Peter Ford (PF) 115/21, Ricky Bolton, (RB) 20/21. Horace Saducas (HS) 118/23. **Managing Agent:** Kelly McMahon, Emma Cutts(Bright-Duggan) **Architect:** Patrick Roberts (PR), present for 9/9 session only.

Conduct of meeting.

The meeting was conducted in 2 sessions over a Zoom facility via Bright-Duggan Braddon, ACT. Due to Covid issues and need to meet deadlines for our Annual General Meeting , this executive committee meeting opened at 3.05pm, canvassed all issues on the Agenda including advice from Managing Agent and Architect and adjourned at 5.18pm on 9Sept to allow time for follow-up of outstanding items and arrange more information on others. The meeting re-convened by members' agreement at 3.07pm on 16Sep. These minutes record all determinations made over both sessions in the order presented in the formal Agenda.

Conflict of Interest Issues.

Chair (PP) put on record concerns of executive members who felt there may be a conflict of interest in progressing major waterproofing remediation questions.

Resolved: Given committee is taking expert advice on waterproofing issues, to provide options for remediation, and eventual determinations would be for all owners in general meeting, there is no conflict of interest for any EC members participating.

Foreshadowed Proposal for Debit Card.

Chair (PP) foreshadowed a motion that EC authorise use of a Purchase card by PP/KG to use in urgent and non-routine matters particularly during the Covid restrictions.

Resolved: Note proposal withdrawn on advice from MA as not permitted under current arrangements. Personal credit card use with reimbursement by MA only option.

Agenda items:

1. Minutes:

Resolved: Minutes of ECM meeting 128, 5th and 8th August, 2021 be approved.

Action: MA to post to Stratamax portal, CHA Webpage and circulate to owners.

2. Roof Contracts (x2)

Reports from MA and PR confirmed Covid (?) delays to provision of documents suitable for sign-off. Specific unresolved problems included "like for like" replacement of solar panels and Inclusion of (UP3259paid) Kliplok roof panels. PR provided proposal for project supervision in lieu of refusal to allow " contract superintendent" role.

Considered advice from Kerin Benson Lawyers re reported judgement on "utmost good faith" in insurance cases and formal complaint processes.

Resolved:

a) Note MA pursuing with CHU and Advance to include PR in all communications but that adjournment had not progressed finalisation.

b) Requested PR / MA to forward control document for circulation to EC Members when complete (next meeting 23/9/21) for contract(s) acceptance "under seal".

- c) Accepted PR's proposal for extension of existing contract for professional services in reduced Contract Supervision role of \$15,000; \$10,000- Sinking Fund & \$5,000- Admin Fund.
- d) Note advice from Kerin Benson Lawyers. PP to confirm no further action required. EC will leave in the Agenda until the terraces are completed.

3. Waterproofing Project.

The Agenda sought to finalise input for AGM (Budgets, Levies and specific approvals for projects and Rule changes). On review, including MA advice, the committee concluded that Covid and Lockdown issues made this impractical given tight deadlines.

PR provided advice on technical illustrations and inclusions in supporting documentation, covering research and experience, the long term objectives recommended including progressive removal of garden boxes and full remediation of affected balconies.

Further, new Covid Lockdown restrictions mean that no construction projects are likely to proceed for some time. Even then timing, costs and skills availability will be problematic. This provides us with both need & limited opportunity to focus on the Manteena priority project and, in the medium term, revisit implications for planning waterproofing remediation needs across the whole UP3259.

The major issues canvassed, with MA advice, showed uncertainty as to OC powers & responsibility, unit owner's responsibilities etc. Options, timing and costs as well as coverage of statutory Rules, required further study before recommendations to owners on actions and Levy implications (and see 4: Sinking Fund, below).

Meanwhile, the priority remediation of 3 problem balconies should be reviewed in detail before (post Covid) delayed contract commitment. It's estimated costs & functional specifics will be incorporated in this year's AGM business papers & budgets, but such will be qualified by executive committee commitment to review scope, costs and timing before contracting.

Resolved:

- a) Agree to recommending approval of the priority Waterproofing remediation project only to an expedited AGM, using Covid delay to refine options, possible Rules changes etc, for a later general meeting in 2022.
- b) Authorise Works Order for preliminary advice from Landscape architect as recommended by PR. Estimate for preliminary investigation & return brief/ Proposal \$1200 + gst: subsequent drawings etc subject to separate prior approval of return brief. Action: MA/PP.
- c) Authorise Works Order for preliminary advice from Kerin Benson Lawyers on OC Rules, responsibilities etc for balcony garden boxes etc, inspection & maintenance, such to protect infrastructure. **Action:** (Brief draft) PF + RB, including insurance inputs, then committee approval before action.
- d) Authorise Explanatory Memorandum to support AGM proposal for Priority Waterproofing Remediation project. **Action:** (Draft) PF, MA, RB, PR then committee approval at ECM 23Sep21.
- e) Noted PP advice that 1) remediation of impacted units post Manteena project, and 2) PR professional fees proposal supervising project, still require estimates and approvals. Draft Budget proposals include preliminary figures. **Action:** PR/ MA.

4. Sinking Fund Revision.

Discussed the revised version submitted by QIA. Noted PP advice that cashflow projections appear prudent but a further revision next year may be necessary dependent on the outcomes of studies and conclusions in 3. above (Waterproofing Project). PP noted assistance from HS and Richard Heaney.

Resolved: Sinking Fund Revised Plan agreed for recommendation to AGM, with qualification that a further revision may be required after outcome of the priority project and on-going investigations, post- Covid.

5. Covid Issues:

Discussed KG & PPS report on communications and In-place initiatives by OC, and advice from MA (B-D and Strata Mgt Assn). Latest ACT Health Directives extending the Lockdown till at least mid October 2021 and further restricting all but emergency work in Class A Strata's was noted; it effectively precludes all but emergency work in both common areas and unit owners areas on our property.

Reported residents' concerns and suggestions were also discussed with input from MA.

Resolved:

- a) Issue Letter communicating current Covid practices and drawing attention to new Requirements. **Action:** MA to issue after KG/PP draft.
- b) MA to communicate with resident that a formal Covid plan is not currently mandatory.
- c) Keep a watching brief on ACT Health Directives, with priority action & communication as necessary. Review of alternate channels when time permits. **Action:** MA/KG.

6. AGM

Discussed the First Draft of Annual General Meeting Documentation from Kelly McM (MA) noting that Covid issues had not enables legislative changes (from 2020) to be finalised in a number of key areas.

Resolved:

- a) Agree that **AGM will be via Zoom** due to COVID restrictions, and to limit AGM agenda to most important issues, deferring others (Rule Changes etc) for special General meeting to be convened post-Covid when face to face meeting can be convened.
- b) Noted **Draft Budgets** from PP and agreed to consider further at ECM on 23/9/21 with inputs from MA including Levies, Lot Entitlements Summaries, and after considering Cash flow projections and recommended allowances for Property Manager \$40,000 and contingency allowance of 5% of Admin Fund estimated expenditure.
- c) **New Rules**, including voting methods & Maintenance requirements be deferred to a post-Covid general meeting.
- d) Recommend AGM acceptance of a **one year extension of our Strata Management Contract with Bright-Duggan** as documented by the local manager. Functional coverage remains the same but cost is increased to \$25,200 incl. gst. Recommendation to include notice of intervention to test market during coming financial year.
- e) **Maintenance Issues and Plan** item include report on major issues and advice that Executive committee has commissioned B-D recommended QIA to develop a formal

framework to satisfy new ACT Legislation, but presently unsupported by subordinate regulation or suitable software.

- f) Support B-D recommendation for initial **appointment of Auditor** for coming year but require Executive committee sign off on Audit proposal.
- g) Ask MA to provide a draft report on the new **report on Insurance Claims**, for EC sign off. MA to consider adding Apt numbers.
- h) Agreed that MA report to 23Sep meeting on **Date for AGM**, in week ending either 22 or 29 October 2021.

7. Works & Other Approvals:

Resolved to approve:

- a) Approve Works Order for Maintenance Plan by QIA,\$1540. **Action:** MA/PP.
- b) #104 garbage bin Attachments resort Trailers \$1640.
- c) #104 Transport new bins, dispose old bins etc, R&M cleaning, do and charge.
- d) #104 supply & fix Directional brackets to new Bins \$624. Reimburse PP.
- e) #104 Quotes for structural changes to Waste enclosure, (est) \$3000. PR,PP.
- f) # 97. Application for approval of electrical installations for car spaces 206, 210.

8. Other Matters:

1. Ongoing or outstanding. Resolved:

- a) Irrigation complaint deferred due to COVID rules.
- b) Free Bulky Waste. No further action till post Covid..
- c) Six Monthly trial of Security Monitoring review will be reviewed after AGM.
- d) Audit of Garage keys and fobs deferred due to COVID restrictions.
- e) MA to send letters to Owners in arrears.

2. Next Meeting.

Resolved: Next Meeting, via Zoom on 23rd September at 4.00pm. **Actions:**

- a) MA to send invitation and contact detail to EC members and PR.
- b) PP/ KG issue Agenda.

Meeting closed at 5.08pm, 16Sep2021.

Paul J Perkins, Chair.

Karen Gassner, Secretary. 19 September 2021.