

**MINUTES OF A COMMITTEE MEETING OF THE BODY CORPORATE FOR
CATHEDRAL PLACE CBC MIXED COMMUNITY PLAN 106902
HELD AT THE MEETING ROOM, CATHEDRAL PLACE, 41 GOTHA STREET, FORTITUDE VALLEY
ON 28 MAY 2009 AT 6:45PM**

Representation:

Randal Edwards	Chairperson/Treasurer
John Gilliland	Secretary
Peter Zunker	Ordinary Committee Member
Pat Brown	Ordinary Committee Member
Tony Rich	Ordinary Committee Member
Larry Cowling	Ordinary Committee Member
Grant Mifsud	Representing Archers Body Corporate Management (Departed 8.05pm)

Apologies: Nil

In Attendance

Lindsay Anlezark	Owner Lot A147 Notre Dame
Crestina Ceraolo	Owner Lot B3 Oxford & Cambridge
Todd Raumer	Rep Owner Lot C37 Oxford & Cambridge
Milomirka Radovic	Owner Lot G1 Kensington & Sandringham
Gil Bick	Owner Lot G15 Kensington & Sandringham
Ilona Berecz	Owner Lot H36 Kensington & Sandringham

Quorum: It was noted that a quorum was constituted as 50% or more of all members of the committee were present.

Chairperson: Randall Edwards

Minutes of Previous Meeting: Resolved that the minutes of the previous Committee Meeting held 14 May 2009 be adopted as a true record of that meeting subject to the following amendments:

Amendment

Quorum

It was noted that a quorum was constituted *as 50% or more* of all members of the committee were present.

Gym Upgrade (flying minute) – including amendment

The meeting noted that the original motion issued in the form of a flying minute has lapsed due to insufficient votes.

Tony Rich declared association with Life Fitness prior to consideration of the following motion and abstained from voting.

That the Body Corporate approve the upgrade of gymnasium facilities in accordance with the specifications contained within the quotation submitted by Life Fitness dated 09 May 2009 in an amount of \$765.00 per month for 48 months totalling \$36,720.00.

Carried 4 For, Nil Against, 2 Abstain *Peter Zunker*

Additional

Spa Chlorination System

That Tony Rich is to meet with the contractor from Reliable Pools the following day to discuss the replacement of the chlorinator and that Tony Rich be authorised to approve the replacement of the chlorinator up to \$1200 *on the proviso that reliable pool services guarantee that sufficient chlorine will be produced to service the pool.*

Business Arising

Tender Process

That the Body Corporate endorse *the tender process approved at the*

CPCBC EGM dated 19 November 2008 as follows:

Conduct Tender: That CPCBC immediately commence the conduct of a tender for appointment of a caretaker to the complex;

Termination Clauses: That the tender contract provide suitable termination clauses if a 75% majority of CPCBC Committee determine in general meeting that the contract ought to cease for inadequate performance in the opinion of CPCBC in general meeting;

Tender Manager: That Ken Morrisby is appointed as Tender Manager and Brian Fisher as his alternate to manage the tender process to completion reporting to the CPCBC.

Carried 6 For, Nil Against.

Business Arising:

Commissioners Order

Peter Zunker requested that the meeting note his opinion that a replacement Annual General Meeting cannot be called in accordance with the recent interim order.

Opening Balances Determination

The Chairperson noted that an interim report has been received from Carhill's dated 14 May 2009 and circulated to all members same date which is to be considered at the next meeting.

Inward and Outward Correspondence:

Various correspondence was noted as circulated with the previous meeting agenda and the following significant items considered:

Riley Shelley Re: Contract Novation

Notice dated 8 April 2009 advising of acquisition by Spotless and requesting novation of current contract.

Moved by Randall Edwards

That Nicholson's Solicitors be engaged to peruse the current agreement and provide advice and options available for the Body Corporate to be released from contractual obligations.

Carried 6 For, Nil Against.

Oxford and Cambridge Committee Re: Electricity Charging

Request tabled by Peter Zunker outlining basis of change to current arrangements.

Moved by Peter Zunker

That the CBC committee meeting instruct Watts to use the meters installed on the 29th March 2009 instead of the 70.84kw per day (as calculated by Geoff Magoffin based on usage) to raise electricity invoices for B & C and an adjustment made to any invoices raised after the 29th March based on the old method. A cheque will also be raised by B & C BUP to the CVBC for the payment of electricity used by the vending machines from the date of installation to the 29th March 2009.

Carried 6 For, Nil Against.

Body Corporate Commissioners Office Re: Notice of Application

Notice dated 19 May 2009 notifying of application for final order and request for submissions regarding matter number 0381-2009 (Validity of AGM held 21 April 2009).

RESOLVED that a submission be made advising that a "Replacement" AGM was held on 28 May 2009.

Carried 4 For, 2 Against.

Financial Statements: Financial Statements for the period ended 11 May 2009 were tabled.

The meeting noted that insurance expense appears to be allocated incorrectly.

RESOLVED to accept Financial Statements as tabled subject to further investigation of insurance allocation and correction as necessary.

Carried 6. For, Nil. Against.

Arrears

The meeting discussed various outstanding invoices on charged to subsidiaries and it was noted that majority of the arrears relate to blocks A, B&C, G&H and The Village. The Representatives of these subsidiaries advised that the respective Committees have not approved the invoices although the basis for non approval has not been formally submitted to the CBC for consideration.

Moved by Randall Edwards

That the CBC writes to the Subsidiaries in arrears, requesting payment within 15 days or that they advise why payment of the outstanding amounts has not been made.

Carried 6 For, Nil Against.

Star BMS Invoice Re: Caretaking

Invoice supplied dated 15 May 2009 for approval of payment in amount of \$43,724.46 as per contractual arrangements. The meeting noted that the invoice should be paid without CBC consultation in accordance with agreement terms. The Body Corporate Manager advised that funds currently available amount to \$76,248.94 and that various other expenses will require payment in the near future that will deplete all available funds if outstanding amounts are not paid by subsidiaries. Therefore approval is sought to ensure that the Committee are aware of these circumstances.

RESOLVED that all Star BMS invoices in relation to the current caretaking agreement are to be paid without delay.

Carried 6 For, Nil Against.

General Business:

Notice from Star BMS Re: Illegally Parked Bicycle & Vending Machine

Notice dated 28 May 2009 addressed to a Lot occupant requesting compliance of various matters issued at the direction of the former Chairperson.

Moved by Tony Rich

That the Body Corporate endorses the action of Star BMS to remove the bicycle.

Debate ensued in relation to the necessity to remove the said bicycle and authority of the CBC and Chairperson to provide these instructions to Star BMS.

Not Carried 2 For, 2 Against, 2 Abstain.

Moved by Tony Rich

That the Body Corporate approve the removal of the bicycle and rectification of any damage to the area that it was secured to at the cost of the Lot occupant subject to confirmation of authority of the CBC to undertake these actions.

Not Carried 1 For, 3 Against, 2 Abstain.

Grant Mifsud departed the meeting at this juncture

Drains R Us Litigation

Moved by John Gilliland

That CPCBC instruct its Solicitor to immediately sue Drains R Us for recovery of the proceeds from the sale of copper pip purchased by CPCBC and held in the custody of Drains R Us.

Carried 5 For, Nil Against, 1 Abstain. (Chairman)

Invoice Approval Authority

Moved by John Gilliland

That the Treasurer plus any one of the following committee members, Pat Brown, Larry Cowling or Tony Rich, may approve invoices and payments on behalf of CPCBC. At all times there must be at least two of these designated members who gives their approval.

Carried 5 For, Nil Against, 1 Abstain. (Treasurer)

Thanks to Outgoing Chairperson and Treasurer

Moved by John Gilliland

That our thanks are acknowledged for the services provided to this committee and the CPCBC to Tony Rich as Chairman and Peter Zunker as Treasurer during their tenure in these positions.

Carried 6 For, Nil Against.

Date of Next Committee Meeting:

It was resolved that the reconvened meeting of the Committee be held on **4 June 2009** to consider matters submitted by Star BMS.

Carried 6 For, Nil Against

There being no further business, the meeting closed at 8:55pm.

Confirmed.

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Chairperson