APPROVED

Blue Water Condos

Emergency Meeting

June 2, 2022 – Zoom Meeting

Board Attendance: Lou Vitantonio, Emmett Conway, Bob Dalrymple, Linda Wolf, Jenny Weber

Absent: John Hatfield, Cindy Staudt (recused self from meeting due to decisions being made regarding building #1 & possible conflict of interest)

Guests: Julie Rogers APM Rep, Steve Ott BW Counsel, Dan Marinucci Bldg Expert

Lou called meeting to order.

Dan M began by explaining the memo that had been sent to the board regarding Building #1. There have been 3 inspections with the Zimmerman reps. The 3rd inspection that was initiated by Shawn K. on the East façade of Bldg 1. Zimmerman installed the window with the nailing flange that is way too short, so bad window + bad installation = a conduit for water damage. Cindy’s east side 1st floor window next to chimney is Zimmerman’s responsibility.

Dan Marinucci reported on Northside Windows and Sliders on all building #1 units – there is damage to the framing due to incorrect installation of siding and the attached decks being too high. Will need to remove all window/sliders to replace compromised framing and rewrap correctly. Should not put existing windows back in – when removing, windows could be torqued and the integrity will be compromised. Northside sliders and windows will be the responsibility of each unit owner. Decks must be removed and lowered to allow for a 3” high threshold, to prevent water from running from the deck into the interior. The decks must also be stand alone, in other words not attached to the building, to allow for correct flashing around the trim. Dan felt that some pieces and parts of the current decks could be saved and reused as they appear in good condition. Deck replacement is the unit owner responsibility.

Shawn K. is working on getting quotes for the northside windows.

The 2 doutside units of bldg. #1 had their windows replaced in 2008, the middle unit, June Galvin’s, still has the original windows. Those windows do not have nailing flanges so must all be replaced.

Lou asked if any windows in the buildings already completed had windows removed and then reinstalled. No, but some folks chose to replace some of their windows during the residing.

Bob expressed concern about the high mold levels in building #1. There is no black mold found, but there is definitely airborne mold in those units. Will contact CA Labs to discuss health risks.

What can Shawn do to properly secure the building while waiting for the windows, which are 17 weeks out. Dan said the best thing is to use multi layers of Tyvek and secure with vertical wood strips.

Steve Ott discussed other possibilities of covering the assessment costs

Each individual owner go after Zimmerman for loss

Individual personal insurance may cover deck cost or perhaps windows/sliders

BW Association Insurance – can we file claim above and beyond what Zimmerman lawsuit could cover – Lou suggested it might be worth having our insurance broker come take a look.

A letter needs to be sent to bldg. #1 owners ASAP letting them know of the decision. What if owners resist? These are considered limited common area elements and the association controls common areas.

Can we contract Shawn to do decks? If so, can Dan set up specs for him to follow?

Julie said she would ask Feazel to come out and spot check the next 6 buildings to see if there will be problems with framing for windows and sliders. Thus allowing for window ordering if needed.

Dan M suggested we have the policy that all windows should be replaced.

Lou responded that we will run up against people not wanting or willing to replace the newer windows.

The buildings that have already been completed did not have that policy and that sets a precedent for the rest of the buildings. Any unit with the original windows will need to replace them so that the new siding can be properly installed.

Julie asked Steve if he would check out the Feazel contract. He said to send it over.

Determining the assessment amount for letter to owners –

Need to take into account Bldg #1 (not in Feazel contract) and the additional costs there will be. Assume 130k - already paid Shawn 55k for supplies.

Julie suggested that we make the 1st assessment $850,000 approximately $16,000/unit. With first payment due with next quarterly association fees (July 1). It will allow us to keep money in our reserves for other purposes, handle the extra costs with bldg. #1, and gives us money for deposit

Lou made the motion to adjust the 1st assessment to $850,000 to be divided between the 53 units dependent on square footage of unit. To be paid in 3 quarterly payments at the same time as the association fees. Bob 2nd motion. Motion carried.

Julie will have Shawn order windows for building #1. She stressed that someone needs to have a talk with Shawn about Feazel being hired to reside the remaining 12 buildings.

Steve Ott shared that he is meeting with the judge and the opposing counsel on June 3rd. Need to update the amount of money that the residing is costing us with Feazel doing the work. Approximately 1.5 million $ for the remaining buildings, so 2 million $ for entire project.

Meeting adjourned 10:22 am.

Faithfully submitted,

Jenny Weber

BW Secretary