Blue Water Condominium Association

Annual Meeting

May 11, 2024 5:30 pm

BW Pool Patio

Present: Lou Vitantonio, Linda Wolf, Lisa Procyk, Dave Kiser, Cindy Staudt, Bob Dalrymple, Audra Thompson, Julie Rogers of APM, attorney Steve Ott

1. Meeting called to order at 5:24 pm by Lou Vitantonio, as all owners were accounted for.
2. Proof of Notice of meeting – evident by attendance of owners
3. Lou thanked the volunteers that showed up to work on the landscaping this morning, invited Owners present to introduce themselves.
4. Approval of Minutes from 2023 Annual Meeting – A motion was made by Bob Dalrymple and 2nd by Cindy Staudt to waive the reading of the 2023 Annual Meeting Minutes and approve as submitted. All in favor, motion carried.
5. Reports
6. Siding Update – Julie Rogers reported that all buildings are completed, and several punch list items remain. Feazel has waited to hear back from owners returning for the summer season so that they have a complete punch list. Once all owners have reported their punch list needs, Feazel will send a crew to address all the punch list repairs. Lou encouraged owners to get their punch list concerns to Julie ASAP. Lou also reported that we owe Feazel for the last third of our overall bill. The association will withhold 10% of that payment, as per contract, until all punch list items have been addressed. If Feazel cannot complete a punch list item and another contractor is needed, the cost of the third-party contractor will be deducted from the balance owed to Feazel.
7. Litigation Update – Steve Ott reported on the status of litigation against Zimmerman/Motorists Mutual (Zimmerman’s insurance provider). He gave a history of the lawsuit filed against Zimmerman ten years ago. Over the years, five judges have recused themselves from the case and each time that happens, it takes time for the courts to assign our case to a new judge. Finally, our case was assigned to Judge Jon Ickes of Sandusky County. We filed for a summary judgment in hopes of settling with Motorists Mutual without a trial. The judge ruled against us last year; we have appealed. In November 2022, Cindy Staudt, Lou Vitantonio and Steve Ott met with Motorists Mutual, who offered a $100,000 settlement. The association rejected the settlement offer at that time. Our case is being reviewed by the 6th Circuit Court of Appeals in Toledo, Ohio. If the court of appeals rules in our favor, we can prove the consequences of Zimmerman’s poor workmanship. We have experts to testify (Feazel may be one). Mr. Ott is optimistic that the appeal will go through, and we will get our day in court. Ott will present our brief on May 20, 2024 to the Court of Appeals. Motorists will present their brief on June 20, 2024. The Zimmerman case is still pending. If the courts rules against our complaint with Motorists Mutual, we will continue to pursue our case against Zimmerman. Julie reported the association’s legal expenses are currently at roughly $65,000. This includes the costs of expert testimony. Lou stated he would like to attempt another mediation with Motorists to expedite the case.
8. Financials – Julie Rogers reviewed the financial statement made available to owners. The status of our reserve accounts, both the marina and condominiums, were discussed. The association has depleted the condominium reserve account, which was the reason for the assessments needed to complete the Feazel siding project. If the association were to win the lawsuit against Zimmerman/Motorists, the board would decide what to do with those monies. Lou pointed out that the first priority of the board would be to replenish the reserve accounts. Julie reported from our Reserve Studies last year that the state recommends Blue Water Condominiums have $168,691.00 in the Condo reserve and $149,911.00 in the Marina reserve. We currently have a balance of $94,000.00 in the Marina reserve. A quarter of the assessment amounts from owners has gone into the Condo Reserve. Our Condo Reserve balance is $64,668.00.
9. Marina – Lou reported on the status of the Marina after some major repairs were completed this winter/spring. Minderman Marina, owned by Cody Gable, completed the closing down of the marina; pulled, painted, and repaired the docks, and replaced them in the spring. Minderman also repaired/replaced water lines. There were unexpected costs to repair docks that were not scheduled for repairs because the docks were sinking. Some electrical boxes were repaired or replaced. Many dock boards were replaced. Cody Gable was asked to mark boards and bumpers to ensure they were returned to the appropriate docks in the spring. Despite this, some owners are reporting they are missing bumpers. Lou will address this with Gable. John Hatfield reported that of 14 available docks for rent, all have been rented except one. He reported that some private owners are still owing their maintenance fees. He requested that rebilling occur with past-due fees. Julie Rogers explained that this will need to be done by Ley Property Management, who will be the association’s property management company effective June 1, 2024. Audra Thompson said she will follow up with Julie on this.
10. Maintenance - Basketball hoop needs repaired quickly. Lou has been getting quotes for this, and also for the tennis court to be resurfaced and lines painted for pickle ball.
11. Election – Steve Ott requested volunteers for the nominating committee, for the next three-year term. Linda Dalrymple and Cindy Staudt volunteered. They were confirmed unanimously by all present. Ron Minnich was presented for the open position on the board of directors and Lou Vitantonio confirmed he would be willing to stay on the board if there were no other nominees. Steve asked if there were nominations from the floor. With there being none, Steve asked for a motion to cast a unanimous ballot to accept Rob and Lou to the Board of Directors for 3-year terms, motion was made by John Hatfield, 2nd by Cindy Staudt, all in favor, motion carried. Lou thanked Cindy Staudt for her years of service to the board.
12. New Business – Owner Questions – Lou entertained additional questions and concerns from owners. 1. Trees in Mazurik State Park and Boat Launch are falling and look terrible. The falling trees could also be contributing to water issues on Parkside Drive. Julie reported that we have a contact with ODNR. Lou reported the board will follow up on this issue. 2. The new parking lot lights in Mazurik’s are blinding to some Blue Water Residents at night. It was asked if the board could address that issue with ODNR as well. 3. Concern was expressed about cars driving through Blue Water seeking access to Hidden Beach Bar. Some park in Blue Water lots to walk to Hidden Beach Bar. All present at the meeting agreed that this is a frequent occurrence. Lou asked those present their thoughts on putting a security gate at the entrance of Blue Water. The owners were in agreement that the board should look into this option but concern was expressed about the costs. The board will investigate the possibility of installing gates and look at various options. Steve Ott stated that 75% of owners would need to be in agreement of a gate being installed. 4. Concern was expressed about the way Minderman installed the new water lines in the Marina. Lou will address this with Cody Gable.

Lou explained the change in property management companies. Ley Property Management will take on the association’s business effective June 1, 2024.

John Hatfield motioned meeting adjournment, Linda Dalrymple 2nd, all in favor, motion carried.

Respectfully Submitted,

Audra Thompson

BW Board Secretary