Approved

Blue Water Condo Board

Emergency Meeting Minutes

March 24, 2023 2 pm conference call

Attendance: Cindy Staudt, Linda Wolfe, Lou Vitantonio, Dave Kiser, Bob Dalrymple, John Hatfield, Jenny Weber, Julie Rogers APM Rep

Lou wanted to bring the board up to date on the litigation situation. Recently Dan M., Steve O., Lou, Cindy, and Julie walked BW to gather more information for depositions in preparations for the trial. Lou shared he spoke with Steve Ott yesterday, March 23, and he is taking a declaratory action against Zimmerman’s insurance company, Motorists Insurance. Steve had just received a copy of the contract between Blue Water and Zimmerman which states Blue Water is to be an additional insured on Zimmerman’s policy with Motorists, which makes it possible to name Motorist’s as a responsible party. Looking for coverage of the damage incurred by the poor installation not for bad workmanship. So that will bring the insurance company to the table as a responsible party, not just to stand behind Zimmerman.

This will delay everything, the hope is to combine the 2 lawsuits into 1, so there will probably be a new date set for everything. Unsure of why this was not done earlier in the process. Lou feels that the delay is worth the increased chances of a good outcome. There was discussion of the Statute of Repose – which cuts off certain legal rights if they are not acted on by a specified deadline. Julie said that based on the contract and communication, Zimmerman’s 1 year warranty didn’t start until the entire project was completed. Lou will keep the board informed with any updates.

Julie shared that she received a call from Shawn, yesterday Mar 23, that there was no power to building 4. Toledo Edison was called out to investigate and it appears that a surge caused the electrical meter bank to fry. Gill Electric has been contacted to install a new meter bank as quickly as possible, since no bank, no power. Julie asked for a ballpark estimate, they said $5000. All of the building 4 owners were notified, temps are expected to just dip into the uppers 20’s in the next couple of days.

Feazel Progress – Julie has been receiving weekly updates from Feazel, building 9 is nearly done and they are getting ready to side 16. Stone was delivered 2 weeks ago and they are working on installing that on all buildings due to get it. There have been issues in the interim, torn screens, broken glass in windows, etc. some issues have been fixed, but a punch list will be created that must be completed before final payment is made. Before the final walkthrough – we will need to send out an email to owners to report any issues that need to be addressed, so all owners of buildings that have been sided over the winter will need to come and check the interiors of their condos. FYI – per the contract, Feazel is NOT responsible for nail pops.

Bob asked if the report from the engineer hired to check building #5 was ever received, there has been a delay since some owners were out of town for quite some time. Should receive it soon.

Annual Meeting – Julie received quotes for having the meeting on site at the point. Tent rental - $1100, Pizza Food Truck - $900 – which takes us very close to the cost of CIC. Lou suggested that in case of rain or excessive sun we bring our own 10x10 tents and save the $1100. The board agreed that it would be a good idea. Lou asked Linda if we had $ in the social funds that we could use for drinks. Lou had figured a cost of $25 a person for the pizza truck.

So, Owners Meeting May 13th at 5 pm dinner to follow. BYOB and BYOChairs

Meeting Adjourned 2:37 pm

Respectfully Submitted –

Jenny Weber