

THE WATERFRONT
OPEN BOARD OF DIRECTORS WORKSHOP
12/15/2022

The meeting was called to order at 7:30 AM EST

Quorum established with Rhonda Tibbetts, Dennis Grant, Ginnie Wile, Bobbi Sajtar, Sam Spring and Kieran Repko. Proof of due notice.

Owners attending were Ruth Ann and Mike Pouliot, Deborah Lee, Diane and Greg Scott, Kathy Moore, Julie Pate-Forbes, Bobby Mez.

Also in attendance were Gene and Kim Petilli of Xpert Public Adjuster.

First order of business was to approve the sale of unit 2278 D. Dennis Grant made a motion to approve the sale, Sam Spring seconded it. Motion passed unanimously.

Rhonda Tibbetts reported that the Notices of Commencement and signed contracts have been given to both contractors, Williams & Thomas and Coastland Custom Builders. Rhonda was delayed in getting their checks for the down payments due to an issue with the bank change and having checks printed for the new account. Rhonda is working on getting the checks to them. The contractors will start on Monday. They are applying for master permits which will cover electrical, plumbing, drywall, etc.

Dennis is the board liaison with Williams & Thomas, Rhonda is the liaison for Coastland Custom Builders.

Rhonda stressed again that owners are NOT to interrupt the contractors. Questions should be addressed to the Board. We do not want to slow the project down.

Ruth Ann and Mike Pouliot will wait for the Williams & Thomas electrician to fix the problems in their unit since our electrician has not been available to do so.

Dennis then introduced Gene and Kim Petilli of Xpert Public Adjuster.

Dennis said we know we are going to get a settlement but in the meantime are using the reserves and the special assessment to pay contractor bills. We want to know if we need an adjuster to represent our case.

Gene answered that he has 23 years of experience and he is also a licensed general contractor and roofing contractor, as well as licensed mold assessor and remediator. Lawyers also hire him to testify in court.

In this current situation with such widespread damage from Hurricane Ian, he has seen a lot of overcharging by contractors. He advises not to pay any invoices until they have been reviewed. If we hire him, his first job would be to review the invoices. His fee for that process would be 10% of what monies he gets taken off the bill.

The second thing he would do would be to go through every unit and meet with every owner to discuss their damages. Documentation and photos are key to the claims process.

He will get our files from DKL and Randy Hicks (FEMA flood adjuster).

He will review the invoices' line items and verify before approving payment.

Bobby Mez asked about his fee. Gene explained that he gets 10% of the monies he gets refunded/credited to us, and 10% of what he gets us above the settlement amount offered by the insurance company.

Sam is very interested in trying to whittle down the bill from DKI which we have been told will be between 3-4 million dollars. We still have not received a bill. Gene would go through it line by line.

Dennis and Rhonda conference called Randy Hicks two weeks ago. He said he is fighting for us. Dennis thinks Randy and DKI are discussing our bill and he is worried that it will get paid without them notifying us and without getting our consent to pay. Randy has submitted the claim on four of our buildings. He said we should be getting a check on that part 2-3 weeks from the submission. As of the conference call date, he had not yet submitted the claim for the rest of the buildings. Gene needs to get the financials.

If we hire Gene, will that interfere with the claim checks being sent out? It should not. Sam thought that Gene would start working after we received the final settlement. Gene said he is a part of the process as soon as possible. He notifies the insurance company that he is representing us. Apparently that means his name would be on checks issued along with our HOA. He said he just signs and hands them over to us. Kieran would like to see a copy of the proposed contract with Xpert.

Deborah Lee said the mold/bacteria testing hygienist, Anna Compton of Hartshorn Bros., required a lot of removal of material, including half of the showers, and retesting. Gene was surprised they left tile floors in place. He feels they would have become debonded. Every shower pan will need to be replaced. The demo and testing process is the remediation and Anna did follow protocol.

Deborah said although there were different amounts of damage, Anna and DKI treated all the units the same.

Dennis said marble window sills were all removed because some were installed on wood. But even the ones installed on concrete were taken out. Most were broken and now have to be replaced. Gene said she probably saw what looked like mold growth. This appearance of growth could have been previous damage from an earlier storm. Insurance companies don't pay for previous damages.

Kieran would like Gene to give us some references.

The consensus of the Board is that we do want to hire Gene. We will need to review his contract. After we sign with him, they will come on site and meet with every owner.

Rhonda told him we have a list of units that are a priority to restore first. She will give him the priority list and asked him to meet with them first.

To facilitate communications, Gene will attend the weekly board meeting on Thursdays at 7:30 AM at the pool.

W & T Contractor will hold a weekly meeting on Tuesdays at 7:00 AM.

They will begin scheduling individual meetings with the owners next week.

For the few owners who opted to hire their own contractors (whom they will be paying out of pocket until the final settlement amount is received), the board is planning on issuing a check for \$7,500 as an advance on that final settlement. This is to help cover some of their out of pocket costs until the final settlement is disbursed.

Ruth Ann asked if hiring Gene will delay the reconstruction process. He said no. He will start as soon as he has been hired.

Rhonda will have our attorney review the contract. We hope to have that ready by next week. We will have to have an emergency board meeting in order to vote to hire and ratify the contract. Sam will be Gene's liaison with the board.

Deborah asked about getting a letter from the board that lists what repairs are being paid for by the special assessment. Her insurance company won't pay anything for the assessment if repairs are flood related. Sam answered that we are using money to pay for flood damages and we have to. Money for repairs is vital and insurance will not cover everything. Some things, like the dock and the pool house are not covered by any insurance. Some of the money will also be used to repair damages caused by wind. There were some roof leaks. Gene said he does a roof inspection as part of job. There may be more wind damage than we are aware of. The bottom line is the hurricane insurance deductible is an additional \$500,000. We do not believe we will have that much in insured damages. That is why we didn't file a claim for wind/water damages.

Dennis made a motion to adjourn. Sam seconded it. Meeting adjourned at 8:44 AM EST