

Antigua Condominium Association

Minutes of the Meeting of the Board of Directors

November 15, 2023

The meeting of the Board of Directors of the Antigua Condominium Association was called order by Mike Falkner, president, on November 15, 2023, at 7:00 p.m. The meeting was held via Zoom. The following directors were present: Randy Ditch, Mike Falkner, Kat Ilkhani, Robert Mayer, Sheri Miller, Ellen Schweiger and Rosey Whittaker. A quorum was present.

The following owners were present via Zoom: Steve Karlow (1204); Rande Baumohl (1102); Leon Hasnain (1207); Bob Fitzgerald (806); Patty Brann (301); Ingrid Miller (1302); Pat Haskins (306); Mary Ellen Marsalek (408); and Bonnie Medford (1202/1305).

Owner comments and concerns

Mike Falkner opened the floor to owners for their comments and concerns. Pat Haskins (306) said to Mike Falkner, you said at the last meeting that a vote would be taken for the purposes of resolving all matters. You did not say anything about seeking legal counsel at that time. So, why are you seeking legal counsel? Mike said that he had requested an opinion on the matter and was waiting for a response. Pat asked about the amount of the late charges that had been waived, having seen an entry on the financial reports of \$2,000 to \$3,000. It was unclear to him if this was only late charges or also included condominium fees. This seemed like a lot of late payments and the solution is simply to mail the checks earlier so that they are not late. Pat asked about the quorum at the Spring Owners Meeting when the budget was voted on. He criticized the draft minutes because they only refer to the quorum at the beginning of the meeting, not at the time the vote was taken. He further stated that if someone does not vote yes or no, their vote must be recorded as abstain or present so a total number of persons participating can be determined. He said that he was concerned about the \$50,000 line-item entry in the Capital Budget for security. Sheri Miller asked about his concerns and if he was opposed to security cameras. He said that he was not opposed to cameras per se but they should be appropriate to the circumstances and he wanted to know what the incidents were that would justify them. Incidents should be recorded in the incident book. Sheri noted that the incident book was not kept up-to-date; that the \$50,000 was not a final amount; and that the Board needed more information before any decision would be made. Sheri noted that the new Board was organized and new officers were elected in May and had been in a transition period. They needed time to address all the issues the condominium is facing. Pat agreed that the Board needed more information in order to make a decision as to what reasonable security expenses should be. Kat Ilkhana noted that there had been repeated incidents of juveniles dropping rocks from the thirteenth floor in the rotunda and that renters had broken into the pool after it was closed in the evening. The cameras are useful, but the police do not use video footage in these matters. They prefer eyewitnesses.

Mary Ellen Marsalek (408) asked about the pool. There was still water in it. Mike said that the pool is not totally emptied for winter. It needs the weight of some water to prevent it from lifting out of

the ground. 1 Stop is responsible for closing the pool and has subcontracted it out. Mike's information was that 1 Stop subbed out closing all the pools it was responsible for and none had been completed. Dave, the principal of 1 Stop, just married and will be back from his honeymoon next week. Mike will follow-up with him.

Ingrid Miller (1302) inquired about the missing coating on the tower wall and whether that was the cause of the roof leaks into her unit and her neighbor's unit (1301). Mike spoke with Chris of Raintree who is doing the roofing coating. Chris felt that water got under the roof membrane near the walkway from the roof door and migrated to a crack in the concrete deck of the roof and then into the two units. Kirk Parsons of ETC will be looking into coating the tower wall; whether it contributed to the leak situation; and whether it should be included as part of the coating project. Ingrid also asked about sealing the wood on the trash cans. Mike said that no one had thought of it and there was concern about the condition of the trash cans themselves.

Ingrid Miller (1302) asked about the drain repair and the reference to the three joints that had not yet been done. She questioned whether there were three more as stated in the draft minutes and whether the Fire Marshall had inspected the one that was completed and been backfilled. Mike Keenan is handling this matter and was not present at the meeting. She said that she would like to have a document showing the Fire Marshall's acceptance of the work for the condominium's files. Kat inquired about further documentation and the scope of the work to be performed.

Approval of Minutes

After discussion, Robert suggested that approval of the minutes of the October 18, 2023, Board meeting be deferred so that Pat Haskins (306) could send him his comments.

Reports

President's Report

Roof Update. Mike reported that there was a roof leak on the south side of the tower. Raintree believes it fixed the leak. The coating was being applied and is projected to be completed by the end of the next week, by October 27, 2023. The Navy antenna had been moved and stored until the coating is completed and will then be reinstalled.

Repairs to Units from Leaks. Ev-Air-Tight has completed its repairs to the units that had leaks. The condominium will repair interior damage caused by the leaks and Mike is looking for painters. He does not intend to use 1 Stop because of the quality of the work it did on 1301 after its leak earlier this year. Ingrid Miller (1302) said that she was looking into her own painter for the same reasons and thinks that 1301 may also use the same painter she finds. She will give Mike her contact information so he can see if they are available to paint in the other units as well.

Smartaria. Mike has not heard further from Smartaria. He will not pursue it further.

AT&T. AT&T has completed its maintenance work except for a bracket that was not repaired. Mike will follow-up with respect to the bracket.

2024 Owners Meetings. The Spring Owners Meeting will be held on May 4, 2024, and the Fall Owners Meeting on October 5, 2024, both at the Worcester County Library at 10003 Coastal Hwy. in Ocean City.

Treasurer's Report

Mike noted that the Treasurer's Report was sent to all owners and board members. Mary was not present to give her report orally.

Ingrid Miller (1302) asked about the PNC Reserve Account and the Operating Account check register information. Mike F. said he would send the Operating Account check register information. The PNC Reserve Account transactions are included in the Treasurer's Report.

She also asked whether Terminix Pest Control was still on a contract. Mike said that the condominium had changed pest control companies and Terminix would be available only as needed.

Pat Haskins (306) asked about the 2024 budget. Mike said it was not the time to discuss that.

Maintenance Report

Randy Ditch presented the maintenance report. Progress is being made in finishing projects. Several have been completed including the deck sealing. Mike Keenan and he are still looking into the ramps. Mike is pursuing information about an alteration to the concrete and Randy is looking for quotes for metal ramps.

Rosey Whittaker raised the issue of the closing of the pool. She noted the importance of blowing the water out of the lines to prevent them from freezing and being damaged. Mike stated that this is a part of 1 Stop's responsibility but the Dave had subbed it out. If the sub does not perform, the 1 Stop needs to perform the work. Mike will follow-up with Dave.

Committee Reports

Management Committee. Mike Keenan was not present to make a report. Randy stated that the Committee had interviewed several management companies and was evaluating them. Steve Karlow (1204) volunteered to help.

Coating Report. Robert reported that Kirk Parsons was finalizing his report. He received all the reports from Ev-Air-Tight about the condition of the concrete. As he expected, the north exposed stacks had more damage than 908.

Safety Committee.

Balcony Railing Extensions. Rosey reported that she had contacted Ocean City about the existing railing extensions on the balconies. There are no regulations on this. The present Building Code requirement is for railings to be 42 inches high. There is no upper limit. A question was raised about how the railing extensions affect the integrity of the concrete balcony walls.

There was a lengthy discussion of the railing extensions installed by several owners. Mike noted that this had been reviewed before. The railing extensions increased the height of the balcony railings to the present Building Code. In connection with the re-coating of the building, he wondered if the Board had the authority to remove them and make the resulting balcony railing non-compliant with the Building Code. He did not think the Board had the authority to do this. Ingrid Miller (1302) asked whether any of the railing extensions had been authorized by the Board. Kat said that none had been approved by the Board. Randy noted that there had been a lot of discussion in the past by the Board about the railing extensions and asked if there had been a resolution. Steve Karlow (1204) thought that

they were approved if they were the same as on the 14th floor going onto the roof, a design which he did not want to be the standard. Karen Burton, the former building manager had said that the Board could not approve railing extensions, but they could be installed if they were like the ones on the 14th floor. Kat was concerned that allowing further railings could affect the building's grandfathered status under the Building Code. She distinguished the hurricane shutters from the railing extensions. The hurricane shutters protected the building in the event of storms and stopped water leaks. Mike noted the safety issue with the current balcony height being below the present Building Code standard. Randy asked how this was previously resolved. Kat said that the owners did not want any more railing extensions. Steve Karlow (1204) said that if they were permitted, then the standard should be something other than those on the 14th floor, perhaps a wrought iron style matching the building trim. Mike noted that the last discussion of railing extensions was in October 2020.

Planning Committee. Robert reported that the committee was just getting organized.

Beautification. Randy reported that he had sent out an initial communication soliciting initial ideas in anticipation of the first meeting but he had not received any replies. He will continue organizing the committee.

Old Business

Moving Cutoff Valves. Robert presented the proposal from Engineering and Technical Consultants, Inc. (ETC) to provide professional engineering/consultation services for the plumbing cutoff matter. He agreed with Kat that it would be preferable to include it in the Board Package, but in this case the ETC proposal was not available when the Board Package was sent out. He received the report on the day of the Board meeting and promptly forwarded it to the board members for their review before the meeting. It can be included in next month's package.

Robert outlined the proposal. ETC will examine the present plumbing and cutoff valves and their location and prepare a report with the various options and recommendations with a rough budget for the work. The cost would be \$3,900. Additional services are available for design, bidding and construction administration. ETC is available to design any work to be done, and prepare the specifications and a bid package. It also offers bidding assistance. After the bid package is approved, it would solicit bids, evaluate them and make its recommendations. After a contractor is selected it can also provide construction administration. No fee was quoted for these services at this time.

There was a robust discussion about the proposal. There were questions about the scope of the services to be rendered. The terms of the proposal were reviewed. As set out in the proposal, they are:

"Investigation - The purpose of our investigative services will be to help evaluate the existing plumbing line shut off system in order to provide our recommendations for options to improve the shut off locations. The scope of our services will include the following items.

1. All building plans, previous studies, and any other pertinent information provided to us will be reviewed.
2. We will perform visual examinations of the plumbing lines associated with the main and unit line shut offs. Our inspections will be at accessible areas within:
 - a. The main water service room;

- b. The hatchway ceiling area; and
- c. Several units.

Access to the units must be coordinated and provided by the onsite management staff.

- 3. We will issue a written report of our services which will incorporate:
 - a. A listing of our findings;
 - b. Photographs of pertinent items noted during our site inspections;
 - c. Discussions of our comments and recommendations for needed remedial work, including rough (budget) cost figures; and
 - d. Our recommendations for needed follow-up engineering services (if any are required)."

The availability of other services, Design, Bidding and Construction Administration was also discussed.

Some questions about the proposal could not be answered without speaking with Kirk Parsons. Ingrid Miller (1302) asked why access to "several units" was included. Mike speculated that maybe cutoff valves could be installed in the first-floor units at less expense than other options similar to the geothermal cutoff valves located in the third, sixth and ninth floor units. Ingrid was not sure that unit owners would want them in their units. Robert suggested that it could be a part of their investigation to assure that they understood the plumbing system before evaluating the potential options. We need to inquire further to understand why this is in the proposal.

There was discussion about whether professional engineering services were necessary. Kat pointed out that D&B Construction, a general contractor, thought that the valves could be moved. Ingrid Miller (1302) felt that we should keep the solution simple, that is, relocate the valves and not use remote accessible valves. Bonnie Medford (1202/1306) asked why we should pay for an engineer when this was a plumbing job and we could call several plumbers and get three quotes. Bonnie also pointed out that the condominium had employed ETC years ago when the windows and doors were replaced. It was very costly and everything did not go according to plan. There is no guarantee that there will be no problems merely because we use an engineer. Kat noted that another condominium had undertaken a large project that turned into an even larger project. There were ceiling panels that had to be removed. She was not sure about everything that is located in the rotunda ceiling, but in addition to the domestic water pipes, there are geothermal and drainage pipes. We can run into additional problems when the work is commenced.

Ingrid Miler (1302) wanted to know what the Design, Bidding and Construction fees would be. As it is, there is an open-ended nature to the proposal.

Mike noted that this was likely an expensive project, that the Board does not have the necessary engineering or plumbing expertise, and that the Board needed to do its due diligence for this project. Randy said that he was more comfortable having an engineering firm involved. The Board needs to provide a safe building with cutoff valves that are accessible and easy to use and that the solution needs to be a long-term solution. It will be in use for a long time. There may be permits that must be obtained and they may require plans with professional stamps. It is a big deal, he said, and we need to do it right.

Robert suggested that since the proposal only came in the day of the Board meeting and there were questions about it, that it be referred to the Coating Committee to review and report to the Board. He acknowledged that was outside the scope of the Coating Committee's work but it is related. It was suggested that additional volunteers assist in this review. Steve Karlow (1204) volunteered. There were no other volunteers.

Roof Ladder Repair. Mike stated that Mike Keenan and he had determined that a bracket could be made to safely fasten the ladder cage to the tower wall. They will seek fabrication of it. The roof coating has delayed access to the ladder.

Luggage Carts. Ingrid Miller (1302) and Patty Brann (301) raised the issue of the condition of the luggage carts.

Adjournment

It was agreed that the next meeting will be on December 13, 2023, at 7:00 p.m. via Zoom so as to avoid conflicts with Christmas plans. The January meeting will be held on January 17, 2024 at 7:00 p.m.

On motion made by Ellen and seconded, and agreed to unanimously on a voice vote, the open meeting was closed at 9:12 p.m. for consideration of matters pertaining to employees and personnel. Md. Cond Act §11-109.1(a)(1).

Upon completing the business before the Board in the closed session, on motion made by Robert and seconded by Mike, the meeting was adjourned at 9:18 p.m.

Respectfully submitted,

Robert Mayer
Secretary