

Antigua Condominium Association
Minutes of the Meeting of the Board of Directors

December 13, 2023

The meeting of the Board of Directors of the Antigua Condominium Association was called to order by Mike Falkner, president, on December 13, 2023, at 7:00 p.m. The meeting was held via Zoom. The following directors were present: Mary Dischinger, Randy Ditch, Mike Falkner, Kat Ilkhani, Mike Keenan, Robert Mayer, Sheri Miller, Ellen Schweiger and Rosey Whittaker. A quorum was present.

The following owners were present via Zoom: Steve Karlow (1204); Patty Brann (301); Pat Haskins (306); Dennis Marsalek (408); Bonnie Medford (1202/1305); Cindy Frederick (901); Alayne Rosner (1007); Peggy Sheer (406); and Barbara McCollum (1303).

Owner Comments and Concerns

Mike Falkner opened the floor to owners for their comments and concerns. Pat Haskins (306) commented on the draft minutes of the November 15, 2023 Board meeting. He said that the portion in the Owner Comments and Concerns about his question to Mike Falkner about the unit door color selection should be changed. The portion did not say that Mike had said that there would be a vote on the matter. Mike replied that he wanted the matter to be properly done and agreed he had said that there would be a vote; however, he had not said who would vote, that is, either the Board or the owners. He had sought an opinion of the condominium's attorney on the matter and a decision would be made then. Pat Haskins and another felt that Mike's statement reflected a vote to be taken by the owners. Another owner felt that the Board could make the door color decision but did not indicate whether a Board vote or an owners' vote would be preferable. Rosey Whittaker observed that Mike's comment at the meeting was subjective, that is, it could be interpreted by different people in different ways. She felt that Mike meant a vote by the owner at an owners' meeting. Bonnie Medford asked how much the legal opinion cost. Mike did not know because a bill had not been received.

Door Color Decision

Mike Falkner opened the discussion on the door color selection. He noted that the owners had voted to change the color of the unit doors at the October 15, 2022, owners' meeting but in light of various objections, the Board had not implemented the decision. A number of owners had been asking about the door color decision so they could paint their doors. He felt that 14 months after the vote was taken, the owners were entitled to know what color the unit doors should be painted and the Board should finally resolve the matter. The condominium's attorney, James W. Almand, opined that the Board could make the color choice and that it was not required to be made by the owners. Mike presented a painting quote from

David Neeley for painting the doors, a copy of which had been sent to the Board members. The price was \$100 per door for the exterior of the unit doors with two coats of a direct to metal paint, the color to be specified by the condominium. If the owner wanted the hardware removed and reinstalled, he would add \$25 to the cost. In addition, the door and window frame for each unit would be sanded and painted for an additional \$175.00 per unit. The common doors would be painted for \$175 per door, including both sides of the doors and the frames.

A discussion followed. The issue of the cost to paint the unit doors and the common doors and whether this was known to the owners at the October 2022 meeting was raised and discussed. The financial impact on the color decision on the condominium and the timing of the painting were also discussed. The priority of painting was addressed.

The impact of the projected exterior coating was discussed. There was concern that the work would damage newly painted doors. It was noted that the coating work, if approved, will not begin before the fall of 2024 and that the principal problem is not so much the installation of the proposed silicone coating as the dust created during the removal of the existing coating on the exterior of the building and the rotunda parapets. The rotunda walls (those with the unit doors and windows) are not proposed to be stripped and re-coated with the silicone coating. Owners would not want wet paint on their doors when the dust from the removal of the existing coating is around.

Randy Ditch moved, and Mike Keenan seconded that the approved color for doors be changed to one of the eight blue colors submitted to the owners this summer for their preferences. The motion was passed by a vote of 7 to 2. The directors voting in favor of the motion were Mary Dischinger, Randy Ditch, Mike Falkner, Mike Keenan, Robert Mayer, Sheri Miller and Ellen Schweiger. Kat Ilkhani and Rosey Whittaker voted against the motion.

The Board then discussed the eight blue samples that were submitted to the owners during the summer for their preferences. Robert emailed the board members a copy of the eight blue colors under consideration. Thirty-one owners had responded to the request for their preferences during the summer. One board member was among the 31. Sixteen owners preferred Sherwin-Williams Adriatic Sea which is the color of the Antigua sign on the building. The manner in which the responses were collected and tallied was discussed. Mike said he would forward the email responses as requested.

The Board selected Sherwin-Williams Adriatic Sea as the new door color. Six directors voted for it; one for Sherwin-Williams Capri; and two abstained. Those voting for Adriatic Sea were Mary Dischinger, Randy Ditch, Mike Falkner, Mike Keenan, Robert Mayer and Sheri Miller. Ellen Schweiger voted for Capri. Kat Ilkhani and Rosey Whittaker abstained.

Approval of Minutes

The approval of the minutes of the meetings of the Board of Directors held on October 18, 2023, and November 15, 2023, was discussed. On the October 18, 2023, minutes,

Pat Haskins asked that “He stated that a new vote on whether to change unit door colors would be done to assure the validity of such action, and, if approved, a new vote on the color would follow” be substituted for the third sentence in the draft minutes which said “He will seek an opinion of counsel on the issues that have been raised before starting the process again.” On motion made by Rosey Whittaker and seconded by Kat Ilkhani, the change was agreed to by a vote of 7 to 0 with two abstentions. Those voting in favor of the change were Mary Dischinger, Randy Ditch, Mike Falkner, Kat Ilkhani, Sheri Miller, Ellen Schweiger and Rosey Whittaker. Mike Keenan and Robert Mayer abstained.

Pat Haskins asked that his letter be included in the October 1, 2023, minutes. Robert said that there was no procedure to do so and he had the opportunity to address the Board in the Owners Comments and Concerns portion of the meeting.

On motion made by Robert, seconded by Randy and approved by a voice vote, the October 18, 2023, minutes were approved as amended. Consideration of the November 15, 2023, minutes was deferred to later in the meeting.

Reports

President’s Report

1 Stop. Mike reported that 1-Stop’s on-site employee was no longer with the company. Since his departure, Dave stepped-up work on the property with favorable results. The pool cover is not on and Mike will follow-up with Dave. Rosey asked if the replacement fasteners for the pool cover had arrived. Mike did not know and would follow-up with Dave.

Roof Coating. The roof coating was completed. The contract called for three payments, the third to be made upon completion and delivery of the manufacturer’s warranty. The manufacturer must inspect the installation before it will issue the warranty and has not yet done that. The third payment is being withheld until the warranty is received.

Treasurer’s Report

Mary Dischinger reported that AT&T is now making its rental payment for the roof antennae by direct deposit. Payment of condominium fees has improved. There were eight late payments in September; three in October; and one in November. The past due condominium fees have dropped from about \$18,000 in July to about \$1,000.

Payment was made to Ev-Air-Tight to repair the leaks into the units; the second payment to Raintree, the roofer; and the deposit on the replacement of the four ground-level doors.

The PNC money market interest rate was increased to 3.9% as a result of Mary’s intervention. A \$135,000 13-week T-bill will mature on December 28, 2023. It will roll-over. The current interest rate is 5.33%. The most recent new rate was 5.29%.

Committee Reports

Maintenance Committee

Mike Keenan reported that the Fire Marshal approved 5 Star's work on the main domestic water line at the south entrance of the rotunda under permit number 23-60000034. 5 Star replaced three joints and installed a thrust block at the angled joint. The Fire Marshal's Inspection Report was signed on November 28, 2023. There was no update on the trash room drain issue.

Rosey raised the issue of the water infiltration and accumulation on the third floor. The automatic sliding door does not close and the water appears to affect the elevators. Mike F. said that there was a history of problems with water on the lower floors during storms. It is mostly due to the architecture of the building and the wind-driven water. Automatic doors were installed in an effort to stop water from going into the elevator lobbies on the lower floors, but that has not been successful. Kat reported that the water has been removed in the past by staff and by her after storms. It was suggested that the office attendant monitor the water issue and, if an issue arises, call 1 Stop.

Rosey also raised the issue of the need for unit thermostats to be set at 55 degrees during the winter when the units are not occupied to avoid freezing pipes. She suggested that the owners be reminded of this and that it be included in the newsletter.

Safety Committee

Rosey reported that the Fire Marshal had regulations on installing and maintaining building decorations, including holiday decorations. She also noted that the condominium needs an egress policy for individuals with disabilities, especially mobility disabilities. There should be some registration or other way for the Fire Department to determine if there are individuals with disabilities that need assistance in evacuating the building in the event of an emergency so that they can be assisted.

North and South Rotunda Entrances

Randy reported on the ramps at the north and south sides of the rotunda. He received a quote of \$1,650 per ramp from Marvel's Portable Welding to construct aluminum ramp tread plates. The installation of concrete ramps was discussed. Randy did not have any quotes for concrete ramps but thinks it may be more costly. Randy moved that two aluminum ramps be purchased. The motion failed for lack of a second. He will look into quotes for concrete ramps.

Access for emergency vehicles was discussed. There is presently a chain across the north and south rotunda entrances. The lock is not closed and is readily removable. Several vehicles, principally delivery vehicles, have dropped the chain and driven to the front door. Alternatives were discussed including replacing the chain with movable posts. Rosey noted that if there were an emergency, a fire truck would simply knock the post over, if necessary. Any damage to the vehicle would be charged to the condominium.

Planning Committee

Robert reported that the Planning Committee had met and that he had submitted a written report.

Plumbing Cutoff Valves

Robert reported that the group reviewing ETC's proposal met and submitted questions to Kirk Parsons of ETC.

Old Business

There was no old business.

New Business

Rosey inquired if a concern over owner's or guest's personal safety was an issue in 1 Stop's change in on-site employee. Mike F. replied that it was not. It was a 1 Stop decision that the Board was not involved in. Access to unit keys is not an issue. All unit keys are in a locked cabinet in the office. While there is an office key in the lockbox, the code to the lockbox was changed and the former 1 Stop employee does not have access to it.

Approval of Minutes

The approval of the Minutes of the November 15, 2023, meeting was brought back before the Board. There was no further discussion and on motion made by Robert and seconded by Ellen, the minutes of the open session and the executive session were approved by a voice vote. Mary abstained. Kat voted against the motion. On motion made by Robert and seconded by Ellen, the minutes of the executive sessions held on September 20, 2023 (which had previously been approved) and November 15, 2023, were approved for release by a voice vote with Kat abstaining.

Pat Haskins said he had comments on the November 15, 2023, minutes. Mike F. replied that they had been approved a few minutes before.

Distribution of Financial Records

Mary asked if the check register should be sent to all owners as part of the Owners' Package for the board meetings. After discussion, it was agreed that the Profit & Loss Performance Report; the Balance Sheet; the Check Details; and the Treasurer's Report which contains the PNC Reserve Account transactions will be included in future Owners' Packages.

Reconsideration of Approval of November 15, 2023 Minutes

Pat Haskins renewed his request to be heard on the approval of the November 15, 2023, minutes. Pat asked that the second sentence under Owner Comments and Concerns which read "Pat Haskins (306) asked if Mike was seeking an opinion of counsel related to painting the doors" be deleted and replaced with "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?" Kat asked that the last sentence of the paragraph which read "The cameras were not much use to the police in these matters. They need eye witnesses." Be changed to "The cameras are useful, but the police do not use video footage in these matters. They prefer eyewitnesses." Pat Haskins also asked, at the request of Ingrid Miller, that with respect to her request for the Operating Account check detail, that "Mike F. said he would send the Operating Account check register information" be added to the second paragraph of the Treasurer's Report and that the third paragraph be changed to refer to the 2024 budget. (The PNC Reserve Check register is included in the Treasurer's Report which is in the Owners' Package.)

The matter was discussed. Questions were asked if meetings on Zoom could be recorded. This was discussed. Robert said he would look into this. He was concerned about the interaction of the Maryland law that requires the consent of everyone to record a conversation and the Condominium Act's open meeting requirement.

At the conclusion of the discussion, it was asked if there was still a quorum. Robert verified that five board members (Mike Falkner, Randy Ditch, Rosey Whittaker, Kat Ilkhani and Robert Mayer) were still in attendance and that a quorum was present.

On motion made by Kat and seconded by Rosey to reconsider the approval of the November 15, 2023, minutes and approve them as amended was approved on a voice vote.

On motion made by Robert and seconded by Randy who wished all a Happy Holiday, the meeting was adjourned at 11:00 p.m.

Respectfully submitted,

/s/ Robert Mayer

Robert Mayer