

Antigua Condominium Association  
Minutes of the 2024 Spring Owners' Meeting

May 4, 2024

The Spring 2024 Owners' Meeting of the Antigua Condominium Association was called to order by Mike Falkner, president, on May 4, 2024, at 9:35 a.m. at the Worcester County Library, 10003 Coastal Highway, Ocean City, Maryland. The meeting was an in-person meeting.

**President's Report and Welcome** Mike Falkner welcomed all of the owners and introduced the board members. All the directors were present in person: Mike Falkner, Mary Dischinger, Randy Ditch, Kat Ilkhani, Mike Keenan, Robert Mayer, Sheri Miller, Ellen Schweiger and Rosey Whittaker. Mike thanked Jane Preble (107) and Jeff Atkins, the office staff, for their work in registering the owners and processing the proxies.

Mike gave a brief update on several projects that had been undertaken during the last six months. The roof coating was completed by Raintree Services. The trash room drain was repaired, but the concrete work remains to be completed. The poolside bathroom and stairwell doors were replaced and painted. The locks on all the ground-level doors including the swimming pool area will be changed on the Tuesday following the meeting. New keys were mailed to all owners and additional keys are available in the office for \$2.00 each. The main door which is locked at night at 9:00 p.m. will be keyed to the new key at the same time. The new keys will reduce the use of the pool by individuals who are not owners or renters.

**Proof of Notice of Meeting and Quorum** Robert Mayer reported that notice of the meeting together with the meeting documents was sent by email to all owners and mailed to 14 owners on the list attached to the Certificate of Mailing on April 3, 2024.

A quorum was present. There were 75 units present in person or by proxy. The 48 units present in person were: 103 — Don Brown; 104 — Kathryn Fitzgerald; 107 — Jane Preble; 202 — Charles Ziegler; 206 — Jessica Drake; 208 — Paul Kotula; 301 — Patty Brann; 302 — Rosey Whittaker; 303 — Karen Daly; 305 — Mike Falkner; 306 — Patrick Haskins; 401 — Sheri Miller; 403 — Barbara Emden; 405 — Howard Bradly; 406 — Peggy and Dan Sheer; 408 — Mary Ellen Marsalek; 507 — Raymond Doviak; 601 — Wayne Morris; 606 — Mary Dischinger; 608 — Mary June Hess; 701 — Ken Lebherz; 702 — Mark Ricker; 706 — Randy Ditch; 803 — Ellen Schweiger; 805 — Mike and Christine Keenan; 806 — Mary Ellen Fitzgerald; 807 — Mary Sue Snyder; 901 — Cindy Frederick; 903 — Michelle and Chris Groome; 906 — Charleen Gonden; 1002 — Alberto and Linda Garcia; 1003 — Bina Mistry; 1004 — Howard Klohr; 1005 — Matthew Blevins and Kat Ilkhani; 1006 — Daniel Crerand; 1007 — Alayne and Robert Rosner; 1102 — Harry Randee; 1107 — William Reineberg; 1202 — Bonnie Medford; 1203 — Steven Hessenauer; 1204 — Steve Karlow; 1206 — Beth Ebersole; 1208 — Jim and Kathy Landicho; 1302 — Ingrid Miller; 1303 — Barbara McCollum and Robert Mayer; 1305 — Bonnie Medford; 1306 — John and Terri DeGraw; and 1307 — Napoleon Marcelo.

The 27 units present by proxy were: 204 — John Joseph; 207 — Fred Schoenbrodt; 304 — Patrick Musselman; 404 — Jayanthi Subramaniam; 501 — Jerry Van Camp; 502 — Jerry Shumar; 503 — Georgene Pollicino; 504 — Mohammed Emami; 505 — Fred Schoenbrodt; 602 — Robert Saylor; 603 — Darlene Keighley; 604 — David Nevins; 605 — John Enkiri; 607 — George Robinson; 703 — Liz Pinto; 801 — Stanley Ecton; 802 — Jon Thomas; 808 — Daniel Snyder; 902 — Ronald Scheaffer; 904 — Christopher Vallone; 907 — Marcella Roenneburg; 908 — Hugh Richmond; 1001 — Cece Muneses; 1101 — Timothy Kelly; 1104 — John Tvelia; 1108 — Martin Peckerar; and 1207 — Leon Hasnain.

One proxy was counted on the initial quorum count, but did not name a proxy and was, therefore, not a valid proxy. It was not voted at the meeting and was removed from the list of attendees.

### **Coating Project**

Robert Mayer introduced Kirk Parsons of Engineering and Technical Consultants, Inc. (ETC) who is the consulting engineer on the coating project.

Kirk briefly described his past work with the building and his familiarity with it. The building is a re-enforced concrete structure. Concrete needs to be protected from the elements, especially water and the salts in the beachfront environment. Without protection, the concrete can crack and spall. A spall is, basically, when a portion of concrete breaks off the structure. Water can penetrate unprotected concrete and leak into units. The concrete is covered with a texture over which a coating is applied.

The proposed project is to remove the texture on the exterior of the building to the concrete. Water is migrating through the coating and texture to the concrete. He saw the three panels from which Ev-Air-Tight removed the texture and exposed the bare concrete. Based on what he saw and his examination of the exterior, he estimated that about 25% of the texture has debonded from the concrete. Debonding is not always visible. The texture will be reapplied after the cracks and spalls in the concrete have been repaired. A silicone coating will be applied on the texture. The existing caulking/sealant will be removed and a silicone sealant will be applied.

The advantage of changing from an acrylic coating and sealant to a silicone coating and sealant is the expected useful life. It is 5 to 10 years for acrylic and 15 to 20 years for silicone. The result is fewer re-coatings are needed which results in a significant savings over time.

Five bid packages were sent out and four were returned. Three contractors were interviewed by the board with Kirk's assistance. He was present for the interviews and participated in them. The contractors discussed their methods of removing the texture and how long they thought the job would take. Kirk looked at buildings that East Coast Construction worked on and spoke with their references. He got good feedback from the references. He has had some experience working with East Coast Construction but not as much as some of the

other contractors. They have a good experience level. While they project the job to take 120 calendar days to complete, Kirk thinks that we should expect it to take longer, weather being an unknown factor.

Kirk finished his presentation and invited questions.

Testing for asbestos and lead will begin the Tuesday following the owners' meeting. Given the age of the building, he did not expect an issue with the exterior texture. The popcorn ceiling inside units will also be tested in light of the question about the effect of grinding the exterior texture on the popcorn ceiling.

No contract has been signed. If there is an unfavorable asbestos report, the condominium association does not have to go forward because there is no signed contract. Kirk is preparing the contract which will be on the AIA form.

Kirk felt that it was not in the best interests of the condominium not to go forward with the project. If the project does not go forward and there is no recoating, water will continue to migrate to the concrete and there will be additional spalls and cracks. When water migrates to the concrete, it can reach the steel rebar reinforcement in the concrete. As it rusts it expands and forces out spalls.

The work in 2000 was on walkways. No texture was removed on the exterior of the building during that work.

The balcony walls will be stripped and new texture will be applied. The balcony floors will be cleaned and painted unless work is needed to repair the surface. This includes the balconies with windows on the balcony railing. The units with windows where the door has been removed and the unit enlarged onto the balcony will not be worked on. The balcony area is effectively part of the unit in these cases. The contract cost will be adjusted so that the condominium does not pay for the work not done on those balconies. The doors on the balcony will be resealed.

The work will be done from swings hanging from the roof. The set-up will be different from the set-up Ev-Air-Tight has used. The building is harder to rig for swings because the roof line is recessed. Ev-Air-Tight needed access to units on the 13<sup>th</sup> floor to prepare the balcony walls and guide the cables for the swings over them. For this work, the swings will be installed on extensions and no entry to units should be needed.

The total project will be done in two phases. The first is the exterior of the building and the ground-level. The second phase will be the interior, rotunda area. The rotunda is not as exposed as the exterior of the building and was more recently coated than the exterior.

The finish on the texture will be less rough than the existing texture. It will not be smooth. There should be no noticeable difference between where the old texture is left on the

building on the ground-level and where the new texture is applied. There are no direct lines between the old and the new finishes.

The question was asked why East Coast Construction was selected when Kirk initially favored other contractors. Kirk looked to the methods used, the quality of the work and the time it would take to do the job. Initially, East Coast proposed using hydro blasting to take off the coating. The other contractors were going to grind the texture off and capture most of the dust and debris with vacuums with HEPA filters. His concern was where the dust and debris would go if the hydro blasting method were used. East Coast came back and agreed to use mechanical grinding to remove the texture and to install the texture as a skim coat rather than mix sand with the silicone coating. With the contractors all using the same methods, price became an important factor.

ETC will monitor the work and the payment process. The work is mainly labor. No deposit will be made. It is a pay-as-you-go project. Monthly reports will be made to the board. The board will keep the community informed of the progress of the work.

The antenna on the roof should be removed. That should be part of the leases. If they cannot be removed, they will be caulked around.

Kirk was asked about the different treatment of shutters, window on enclosed balconies and railings. Windows are permanent improvements and intended to keep water out. A flashing is installed on the top of the balcony railing and the window installed on the flashing. There is no similar flashing or capping of the balcony for shutters. Shutters are designed to keep airborne objects from breaking windows and doors. While they do keep out water, that is not their primary purpose.

There was a discussion of the relative merits of leaving shutters up versus taking them all down. If they are all taken down, we will have a more uniform, watertight coating for the entire building which, Kirk said, is preferable. He also said that they could be caulked around. They are a problem on every building. In his experience, they are generally installed by the unit owners and are the unit owner's individual responsibility. When they are installed, no thought is given to the possibility that work might be required to be performed behind the installed shutters.

There was a discussion of whether the condominium should bear part of the expense of removing the shutters or reinstalling them. The total cost of removing the shutters for the 24 units with shutters would be \$23,370 or, about \$225 per unit if the removal costs were part of the coating project. It was recognized that if the shutters were removed, East Coast Shutter & Awnings would only reinstall four on the first twelve floors. The cost of a new shutter was quoted by East Coast Shutter at about \$8,500 for the first twelve floors. The shutters on the 13<sup>th</sup> floor were individually quoted.

At the conclusion of the discussion, Kathy Landicho (1208) moved and Peggy Sheer (406) seconded that all shutters be removed for the coating project; that the condominium association pay for the removal of the shutters; and that the proposed special assessment be increased by \$250 to cover the expense of the removal. On a roll call vote, the motion passed with 60 votes in favor and 12 opposed.

Matthew Blevins (1005) moved and Paul Kotula (208) seconded, that the coating project be deferred for one year. The matter was discussed. On a voice vote, the motion was defeated.

The special assessment was discussed. The Board recommended a special assessment of \$10,600 which would be increased to \$10,850 in accordance with the prior vote. The computation of the Board's recommendation was discussed. The issue of asbestos and lead was discussed. The asbestos and lead tests were scheduled to start on the Tuesday following the meeting. The use of the special assessment funds was discussed and the suggestion was made that the special assessment funds be maintained in a separate, segregated account to assure that they are spent only on the coating project. The start date of the work was discussed. East Coast Construction felt that it could commence work on October 1, 2024, and complete the project timely. They will begin to mobilize earlier and be prepared to start work on that date.

At the conclusion of the discussion, Jessica Drake (206) moved and Peggy Sheer (406) seconded that:

1. A special assessment is levied for the purpose of paying for the coating project in the amount of \$10,850.00 per unit, payable in four equal installments of \$2,712.50 on September 1, 2024, November 1, 2024, January 1, 2025 and March 1, 2025.
2. The special assessment be deposited in a separate, segregated account.
3. The start date of the work not be before October 1, 2024.
4. The special assessment is contingent on favorable asbestos and lead reports.

Printed ballots for the vote on the special assessment had been distributed to the unit owners when they registered. Printed ballots were distributed to proxyholders. The ballots were marked by the unit owners and collected to be counted.

The election of the directors was next on the agenda. Ballots were distributed to the unit owners when they registered. The proxies and the ballots were collected. The proxies of absent owners directed who was to be voted for as director. Jane Preble (107) and Jeff Atkins, a member of the office staff, counted the ballots.

While the ballots were being collected, the minutes of the Fall Owners' Meeting held on October 14, 2023, were discussed. There were questions and comments on them. Pat Haskins (306) suggested that they be amended to further reflect discussions on the security improvements, the format of the budget (e.g., lines 163 and 193), condominium assessment arrearages, proposed changes in the budget, and, after the vote on the approval of the budget was taken, whether there had been a quorum when the vote was taken. On motion made and

seconded, on a roll call vote, the minutes were approved as submitted. The vote was 39 to approve the minutes, 24 to not approve the minutes, and one abstention.

Pat Haskins (306) sought to make a motion that meetings be recorded. Mike Falkner, president, ruled the motion out of order because Pat had not complied with the provisions of Bylaws Article III, section 1 which provides that the annual meeting will be “open for the transaction of any business without special notice of such business, provided, however, that no new business shall be introduced or otherwise submitted at the meeting unless a written summary thereof is filed with the secretary of the council of unit owners before commencement of the meeting.” Since the required notice had not been given, the proposed motion was out of order.

The time for which the meeting room had been reserved having expired, on a motion made and seconded, the meeting was adjourned at 1:00 p.m. with the results of the vote on the special assessment and the election of the directors to be announced.

Respectfully submitted,

/s/ Robert Mayer

Robert Mayer

Secretary