

Kendall Overlook Condominium Association (Kendall 1)  
Snowden Overlook Clubhouse  
November 9, 2016  
Board of Directors Meeting

Call to order by President, Marion Thompson at 7:00 PM.

BOD members present:

Marion Thompson, President  
Debora Plunkett, Vice President  
Pat Harrington, Secretary  
Karen Keane, Treasurer  
Joe Socha, At large

A quorum was present.

1. Motion to approve Agenda was made and seconded. Passed 5/0
2. A motion was made and seconded to approve the KO BOD meeting minutes of October 4, 2016. Passed 5/0
3. Presidents Report. Marion Thompson
  - a. T & A Contractors will be on site to inspect deck railings Friday November 11th. They will access decks with ladders so resident need not be home. An email notification has been sent to residents.
  - b. CalAtlantic has brought Willis Concrete into the lawsuit. It will push back the settlement date from February to March and the trial date from March to April. The case must go to trial by May 8, 2017.
  - c. Ray Burke and SRS are awaiting the Becht drawings needed to price out the repairs from prototype.
  - d. Investigating driveway erosion and including it in the lawsuit is not financially sound as the \$16,000 Becht fee is more than repair costs. A motion was made and seconded not to pursue engaging Becht to investigate driveway erosion. Passed 5/0
  - e. Two BOD positions will expire January 2017. Call for nominations mailing will be sent out on November 11, 2016. Deadline for return nominations is December 9, 2016.
  - f. Election will be held at the annual meeting on January 11, 2017.
4. Treasurers Report. Karen Keane
  - a. See attached
  - b. A motion was made and seconded to increase potential loan from reserves by \$25K for a total of \$45 to cover expected December shortfall. Passed 5/0
  - c. The Special Assessment passed, 43 yes and 13 no votes. Coupon books will have both special assessment and regular monthly assessment charges. If you have set up an EFT it will automatically be deducted from the authorized account. A letter will be sent out explaining payment options and also provide instructions for paying total \$3600 assessment.
  - d. A motion was made and seconded to accept/approve budget option B with the regular \$258 monthly assessment and special assessment of \$300 per month for one year. Passed 5/0
5. Committee Reports
  - a. Maintenance, Hal Kassoff
    - 1.) Requesting better communication with WPM: all maintenance items to appear on maintenance chart; name of contractor and cost of repair added to chart to provide quality control.

- 2.) The BOD will work on responsibilities of the maintenance committee.
  - b. Architectural, Leon Thomas.

Architectural change request from 8772 EOW to install patio. Was approved by BOD and signed by SOCA Architectural member. The resident is to be made aware of future construction work on deck and back wall of house that could damage the patio.
  - a. Landscaping, Jim Banahan not present
  - b. Welcoming. Becky Socha  
Welcome booklet is updated and ready to distribute to new residents.
  - c. Social, Judy Morrison, not present
  - d. Parking, Ann McCleaf. Not present  
One violation this past month and the resident was spoken to and will correct problem.
6. SOCA report, Pat Harrington
    - a. The front entrance project is finished. The former tiles were interior grade, had cracked and became slippery when wet. The new finish is stamped asphalt. It has a non-slip surface and is designed to be long lasting.
    - b. Icemaker has been installed in the craft room. This will save us money and be very convenient for social events.
    - c. The purchase of two new elliptical machines was approved. The old machines will be sold at \$200 each by lottery to residents.
    - d. On windy days the Clubhouse door blows open. To prevent this the door will be locked 24/7 but Carol and Christie will unlock it weekdays 9-5 and relock on days that it is blowing open. Suggest bringing your swipe card to Clubhouse in case it's locked. Plan is to chain a swipe card by the front door on windy days when door is locked for easy access.
    - e. The landscaping and snow removal contract was signed with Mainscapes.
    - f. Contract with DRD for pool services was signed for the 2017 pool season.
    - g. The SOCA Architectural Committee signed an application from KO 2 for removal of the faux chimneys.
  7. Management Company Report, Patricia Lall.
    - a. The dead turf area behind 8758 EOW/prototype home has been reseeded.
    - b. Proposal from Mainscapes of \$585 to replace damaged Cherry tree by 8778 EOW was not accepted. Will research type of tree replacement and also the tree replacement near 8787 EOW.
    - c. Violations
      - 8733 EOW garage door not repaired. Fines began on Oct 12<sup>th</sup>. The door is not repaired at this time.
      - 8768 EOW garage door has been painted. Compliant.
      - 8774 EOW Metal rails stored under deck. Received notice and board member spoke to them. Need inspection and call to hearing if not in compliance.
      - 8794 EOW left garage door has been repaired, but damaged right door panel has not been replaced by Sept. 30 deadline. Fines are being assessed.

## 8. Completed Business

- a. The removal and storage of debris behind prototype home is complete.
- b. Final invoice of \$4800 on prototype has been paid. Work completed.

## 9. Old Business

- a. Landscaping and Snow removal contracts were compared and discussed. A motion was made and seconded to accept the 3year Mainscapes proposal of \$33,173 for landscaping and the flat rate of \$24,723 for snow removal with a pay for performance clause addendum. Passed 5/0
- b. Gutter/Downspouts Discussion Facts  
K1 documents are silent on responsibility for gutters/downspouts
  - Per legal counsel, in the absence of explicitly citing responsibility, gutter/downspout responsibility is the decision of the Board of Directors
  - Maryland Condo law 11-108.1 states that responsibility for parts of the unit, if not explicitly excepted (e.g., roof), belongs to the unit owner.
  - Per legal counsel, in following "...the strictest interpretation of the Declaration and Bylaws, responsibility for maintenance and repair of the gutters and downspouts would fall upon the Unit Owners, because they are part of the Unit, and also because the governing documents fail to list them among the exceptions to the general rule set forth therein."
  - K1 Association has repaired gutters in the past
  - K1 Association has budgeted each year for leaf removal from gutters
  - Gutter replacement appears in the current K1 Reserve Study
  - Missing gutters has resulted in the sharing of water flow between units
  - There are gutters that are directed towards the property (lawns, driveways) of an adjacent unit
  - Many unit owners have done their own modifications.
  - How other SOCA communities (KO2, V1, V2) are addressing ownership and responsibilities:
    - Ownership: all unit owner
    - Gutter extensions: all unit owner
    - Erosion or damage from downspouts: all unit owners
  - Just because we have done repairs and maintenance in the past, thinking it was Association responsibility but without checking K1 docs, doesn't mean we should continue it
  - After discussion it was tabled until next month.
- c. Mold remediation completed at 8819 EOW, hygienist passed on Oct. 5<sup>th</sup>. A motion was made and seconded to accept the SRS proposal of \$3913 to remove drywall and framing, support ceiling joist, and install Crack-Pak Injection Epoxy into the wall crack. Passed 5/0
- d. Still waiting for Becht drawings so SRS can determine repair cost needed by Ray Burke for litigation evidence.
- e. WPM management software needs to be repopulated so action is on hold.

- f. A list of criteria is for the spring community inspection is ready and awaiting BOD's approval.
- g.
- 10. New Business
- 11. Open Forum
- 12. Adjournment was at 9:50 PM.

Respectfully submitted  
Patricia Harrington  
Secretary

### **Treasurer's report –November 8, 2016**

1. Financial statements for September were reviewed. No exceptions noted. Preliminary statements for October were reviewed. WPM issued a credit for \$549 for an overcharge pointed out by the maintenance committee.
2. Cash balances – Operating September - \$ 8,889  
Reserves September - \$ 319,855  
Operating October - \$ 16,999  
Reserves October - \$ 285,955
3. We have taken loans totaling the \$206,000 from reserves through September and were short of operating cash in October and took an additional \$40,000. Current projections estimate shortfall of another 45K by December.
4. Reserves are currently \$200K less than the amount in the reserve study due to the \$200 loans taken in September, February, June and July. They are expected to be \$280K under by the end of December.
5. Revenue was \$20K for September and expenses were \$11K (\$0 for the lawsuit) resulting in income of \$9K for the month. YTD revenue was 177K, expenses were \$333K for a YTD loss of \$156K.
6. Through September, spending for engineering and legal expenses for water intrusion issues was \$230 K. Our current projected total spending for engineering, testing and litigation is \$321K through December. We have budgeted an additional spending of \$70K in 2017.
7. On August 22, several board members met with the Omaha Bank to discuss a loan to fund repairs when the lawsuit is settled. In general, Omaha's process and timing were similar to M&T and Reerve. Discussions with Omaha indicated the possibility of a construction type loan where funds are drawn as needed, and we only pay interest on the amounts drawn. Omaha in general indicated stricter guidelines for obtaining the loan.
8. The special assessment vote passed and the board will vote on the budget with the special assessment on tonight. (See above 4, d)
9. We anticipate receiving cost estimates for the repairs this month. This information along with bank requirements will allow us to develop a longer term strategy and alternatives for funding repairs.