

SHEARWATER CONDOMINIUM ASSOCIATION  
BOARD OF DIRECTORS MEETING  
JANUARY 17, 2005

PRESENT: Steve Snyder, President  
Marc Hayes, Secretary  
Jim Nunneley, Director/Grounds & Landscape Committee Chairperson  
Carroll Stewart, Director  
Harvey Paskin, Treasurer  
Peter Gavian, Director

ABSENT: Jim Behrens, Vice-President

ALSO PRESENT: Dennis Sesplankis, Brodie Management  
Jennifer Perrelli, Assistant Property Manager

Steve Snyder, President, called the Board Meeting of the Shearwater Condominium Association to order at 7:03 P.M. The meeting was held at the Shearwater Clubhouse.

**MINUTES:**

- Steve Snyder moved to approve the November 15, 2004 Board meeting minutes as submitted. Marc Hayes seconded the motion and it carried unanimously.

**PRESIDENT'S REPORT – Steve Snyder:**

- Update on proposed boat launching and docking areas at Spa Creek. As long as mayor is in office, they will have to keep a close eye on the progress with it or it will explode.
- Fitzgerald's Unit 7A - The Board reviewed the letter regarding repairs. Work was done last year to correct water coming into the unit. The Board questions their responsibility to clean up the new damage when the owners are only there 2 or 3 weeks out of the year. No monitoring can be done to see if repairs are taking or to know when the leak happens. Harvey Paskin gave a history of the mold problem in the unit. Jim Nunneley suggested Shearwater only fix the initial water invasion, not the mold that occurred from it as a result of "neglect". Pat Duvall commented on the issue, as she lives next door to the unit. Shearwater's job is to stop water intrusion. If there is no indication of mold, Shearwater should not be responsible for searching for it. The Board of Directors requests that Dennis Sesplankis call them tomorrow and let them know that work to investigate the problem has been done and damage or repair from that will take place. He will also let them know that the Board of Directors has decided to not do any mold remediation. The Fitzgerald's requested a copy of the report Rogers engineering completed. The Board of Directors decided not to release a copy to them, as it was the Board, not the Fitzgerald's, who paid, commissioned and investigated the problem.
- Anchor Aquatics owner, Joe Ruddle, spoke at Shearwater's invitation about the concerns that have arisen over the past season. Joe explained that unfortunately the human element has been removed from the business, but he intended to be more personally involved to improve his business. Harvey wants rules that are more specific, because the burden of responsibility would come down to Shearwater. Carroll Stewart pointed out that Rules are in the contract and specific, the lifeguards just need to adhere to them. Peter Gavian wants rules posted and pointed out that the flag is not hoisted everyday. Mr. Ruddle stated that he recently hired a personnel director to help improve employee performance. A facility binder that includes Rules and Regulations needs to be given to every guard that works at Shearwater and they need to know who they should report to. A big problem is that relief guards come in and do not know Shearwater's rules.

**TREASURER'S REPORT – Harvey Paskin (See Attached Report):**

- See attached Budget Status Report as of December 31, 2004
- The audit is finished. A will report will be given next month.
- The budget is on track for the end of the year. Utilities are currently under budget, but that will catch up because of the billing cycles.

- The painters have only completed 2 buildings so there is more money. \$171,543 is in the reserves. Shearwater can pay roofers balance off and save money by not paying the interest. That would still leave over \$130,000 in the reserve funds. The Board consented to pay it off.
- General repairs is under budget, so money can be moved to cover additional costs related to pruning for the painters.
- Steve Snyder made a motion to accept the Treasurer's Report. Peter Gavian moved to accept the Treasurer's Report. Marc Hayes seconded the motion and it carried unanimously.

**MANAGEMENT REPORT – Dennis Sesplankis (See Attached Report):**

- Painters update- see attached report. Bay country has still failed to complete work in buildings 1 & 2. Board requested Brodie set up a meeting immediately with Bay Country Painters to determine if they will be able to fulfill the current contract to Shearwaters satisfaction. The board agreed that individual members need to take ownership of problems or projects and Steve Snyder volunteered to see this issue through to completion.
- Annual Termite inspection- After Board discussion, Harvey Paskin motioned to renew the contract but change the date to this spring, when the termites swarm.
- Shoreline Erosion- see attached report. Pat Duvall is the point person on this project. The report recommends non- structural device to restore the shoreline within 3-5 years.
- Master Insurance regarding property damage of Deodar Cedar. Paramount Insurance is denying the claim to replace the tree. The Board requests Brodie Management contact Nationwide to find out if the offending car owners insurance is allowed to not pay it.
- Pool Contract- discussion was held about the pool contract and Joe Ruddle from Anchor Aquatics had spoken earlier in the meeting about improvement in the upcoming season. The contract would need to be altered so it requires 2 or 3 meetings with the Board during the season. A motion was made to renew the contract and seconded. The contract passed 6 for, 0 opposed.
- Door King gate system has been corrected and all names and information has been updated.
- The Annual Meeting will be held March 21, 2005 at 7pm. There will be 3 Board of Directors position open for reelection.

**COMMITTEE REPORTS**

**Grounds and Landscape Committee Report – Jim Nunneley (See Attached Report)**

- Status on pruning the sycamore Trees- The city considers the trees public ground and will fine Shearwater if pruned.

**Marina Committee – Jim Bausell (See Attached Report)**

- See attached report.
- Board voted 6-0 to approve using the pump-out boat instead of spending money to repair the pump-out station. In the future, slip holders need to contact the pump-out boat for their needs. A letter should be sent to all slip occupants informing them of this change.
- Scott Ligon has requested 2 pilings be pulled at his expense to accommodate his catamaran. In the future, when he vacates the slip, he will reinstall the pilings at his expense as well. The board voted 6 to 0 to allow this.

**Architectural Committee – Michael Yerman**

- No report provided.

**Pool and Activities Committee**

- No report provided.

**OLD BUSINESS:**

- Insurance claim for the Deodar Cedar Tree- Brodie will investigate further

**NEW BUSINESS:**

- Jim Nunneley presented a potential internal flooding problems discussion paper. He suggested all cut off valves be identified and their locations posted in a common place for every building, so if there is flooding, the water can be stopped throughout the building until the resident is located. Mr. Nunneley also suggested Brodie send a letter to all residents reminding them of the dangers of flooding from over-age water heaters or other appliances that use water. Water heaters should be

replaced if they are at or past their manufacturers suggested life span. Water hoses to washers should be reinforced metal jacketed. A water leak in one unit can affect all units below. These matters would be better presented as an agenda item at the annual meeting.

- Parking issues. The board is concerned with non-residents parking illegally in spaces reserved for residents. There was discussion over towing cars, which was a common practice a few years ago and may be necessary again to curtail the illegal parking that is taking place. Brodie brought tickets for everyone on the Board of Directors to issue, as often when a vehicle is called in, it is gone by the time Management can get to Shearwater.

**NEXT BOARD MEETING:**

The next Board of Directors Meeting will be Wednesday, February 23<sup>rd</sup>.

**ADJOURNMENT:**

With no further business to discuss, Harvey Paskin moved to adjourn the meeting. Jim Nunneley seconded the motion and it carried unanimously. The meeting was adjourned at 9:49 P.M.

Respectfully Submitted,

Jennifer Perrelli, Brodie Management, Inc.

Approved: \_\_\_\_\_

Date: \_\_\_\_\_