

Board of Directors Special Meeting
Wednesday, September 2, 2009
Minutes

A special meeting was called in order to discuss a potential solution to the problems we are having with basement window leaks. Bob Penketh called various Board members who were free during the daytime hours until he was able to secure a quorum in the event a vote was required.

The meeting was held at the Community Centre and Sheri Delacretaz called the meeting to order at 1:10 PM.

In attendance were: Sheri Delacretaz, Moe Gagner, Jack Forcett, Dorothy Loscher, Joy Penketh, who represented the Board, Bob Penketh, Property Manager and Marvin Girard and Sandy Diemer of Essex County Maintenance, guests.

Bob explained his concerns that the calls we had been getting regarding leaks in the basement, attributed to the basement windows, would only escalate due to the deplorable condition of the steel plate surrounding the windows. He talked with Marvin about a possible solution and Marvin spoke with various suppliers. Marvin then designed a possible fix for the problem and brought in a sample of the suggested repair for the Board to look at.

The Corporation would need to order the metal for a number of windows in order to get a price break. The suggestion was made that material for 51 windows (half of all of the basement windows) be ordered first and the Board would see how long the repair procedure would take, keeping in mind that the repair would have to be accomplished by the workers laying on their stomach and leaning over the window well to secure the metal in place. A very rough estimate of the cost per window would be between \$175 and \$250 because some were much worse than others. It was the consensus of those present to proceed with this method at the earliest opportunity in order to take advantage of the good weather. This work cannot be done in wet or winter weather.

In addition, many unit owners built decks over top of the window well and it was felt that Marvin should submit an hourly rate for removing/replacing the planks directly over the well which the owners would pay, in advance. If the owners did not wish to pay Marvin to remove/replace the planks they could do the job themselves. If any owner refused to allow the planks to be removed they would be faced with signing an indemnity letter which would then be placed in their file and, should they ever have damage due to leaking around the basement window or decide to sell their unit, this indemnity letter would be evidence that the Corporation could not be held liable for damages caused because the owner refused the repair process. A status certificate required at the sale of the unit would state this as well.

Bob and Marvin will do a walk-around and measure the first windows to be done as quickly as possible.

While the members were available at this meeting anyway Sheri brought up a situation she had just been made aware of. One of our owners had a pipe burst under his kitchen sink and it flooded the kitchen floor. His insurance is paying for the improvements, however, the Corporation is responsible for ¼" underlay and contractor grade floor tile, installed. Joy Penketh will check into what this would normally cost based upon the size of his kitchen and the Corporation will pay the money directly to the owner because he is having a contractor install upgraded material so we will pay him just what we would normally have paid to have the unit returned to "Standard Unit" condition.

Again, while the members were available, the matter of the sewers was discussed. Bob Penketh had three quotes which he discussed and, based on the details and the prices submitted a motion followed.

It was moved by Moe Gagner and seconded by Dorothy Loscher that we proceed with a camera inspection as proposed by Edgewater Sewer Services

and determine, after viewing the film, whether we need to have the exterior sewers flushed or not.

Brad Robinson's door was discussed. Joy Penketh will request a cheque from Business Partners and will prepare a letter to be signed by Mr. Robinson which states that he has received reimbursement for what the Corporation would normally pay for a door and hardware and that there is no further responsibility for repairs or replacement to any portion of the door or frame by the Corporation. This letter will be placed in his file and, should he sell his unit, the status certificate will clearly state that the Corporation does not have to repair or replace any part of his door.

Considerable discussion was held regarding the Community Centre and the fact that the Association Board was faced with a non-compliance situation as a direct result of the lack of cooperation of two and possibly three members of that Board. This will have to be resolved quickly or possible law-suits could be forthcoming.