

**Cowpet Bay West
Annual Owners Meeting
February 9, 2019**

Call to Order: The Annual Owners Meeting was called to order by President, Nick Overmyer at 9:08 a.m. at the Caribbean Fish Market. Board members present were, Nick Overmyer (President), Ehren Henderson, Bill Leitch, John Kalb, Robert Daleo. Owners were directed to sign in upon arrival (Attachment 1, sign-in sheets for owner attendance).

Roll Call: Owners were asked to identify themselves as their names were called. Owners that were holding proxies were asked to identify themselves as proxy holders. There were owners of 35 units present and 11 owners holding proxies at the time of roll call.

Quorum Verification: Holly Case announced there was sufficient attendance and proxies (1/3 of authorized votes) for a quorum.

Rules of Conduct: Nick Overmyer, serving as Meeting Chairman, requested that owners wishing to be recognized to make a statement stand, be recognized by the chair, provide their name and unit number, and keep statements brief.

Proof of Notice of Meeting: Documentation of notice was presented in the monthly Newsletters of December 2017, January 2018 and February 2018 and January and February 2018 emails.

Reading of the 2017 Annual Owners Meeting Minutes: Motion was made and 2nd to waive the reading of the 2017 minutes. Copies of the minutes were available for members upon request.

President's Report:

- Nicholas Overmyer requested a brief moment of silence for the departed.
 - Gregory Miller – In remembrance

- Nick announced since the last meeting we have 5 new owners:
 - Susan Russel – L- 14
 - Mark and Melissa Petrich – L-15
 - Christopher Theriault – L-20
 - Amy Dukes – L-33
 - John and Alicia Duncan – L-46
 - Adam and Kasia Israel – W-32
 - Willard and Diane Thomas – W-45

The New Owners were invited to stand and be recognized.

Manager Report

- Holly thanks the owners for being cooperative, supportive and assisting during hurricane recovery, allowing displaced individuals to stay in their units. She also thanked the staff for their work over the last five months. She also thanked the board for the support and help.
- She stated that a few things have been accomplished last year (due to the hurricanes some Capital improvement projects didn't get completed)
 - Roofs: Upgraded and reinforced everything. Everything is screwed, and all straps have been reinforced; There are some problems with the bond beams, however this may take a few days per beam.
 - The solar panels will be replaced once all the roofs are inspected and all the bond beams are repaired.
 - Inside repairs (18 units completed): Units with extensive damage will be assessed and worked on, the main focus is water damage and leaking, and mold remediation; We are waiting on rebar cracks, we will schedule it during April; There's a sheet to schedule the inside repairs.

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- Owner's are responsible for their painting if the color is different from what the association has
- Water System: Purchased all new pumps, it took 2mths to receive; Replaced the water distribution pump, will replace the other pumps and put in a control system so if one pump doesn't work it'll automatically switch to the other pump
- WWTP: The bins and pipes need to be cleaned and reinforced, this will be scheduled during September/October due to the water having to be shut down
- Generator: The generator has been installed
- Switch Gear: Currently working on the switch gear error code, it has been set to less than 10mins. Someone will be working on it on Tuesday to change the delay time to seconds
Q: What is so special about the switch gear that it takes so long to repair? It is very complicated and is a huge electrical component. And someone has to be flown in from Puerto Rico to repair. Not everything broke at once, once one thing was fixed another problem arose. The master switch is very common.
- Landscaping: Several plants have been replaced, and a lot of the plants will be added during rainy season
- Irrigation: The irrigation system is still not working, currently looking for a new irrigation guy
- Rocks: Currently in the plans to secure the rocks, due to the flooding there isn't much land for them to settle
- Electrical: We have replaced 3 transformers, and replaced the meters outside; at the end of the year there'll be a full replacement of all boxes and wiring
- Painting: All front railings have been painted; All back railings will be painted and repaired during inside repairs (any that are dangerous should be reported); The outsides of the buildings will be painted during the off season; When the roofers are finished they will repaint any railings that have topcoat on them, they will also power wash
- Security: Almost all security lights are working, the remaining ones will be replaced next week; the Breezeway security lights will be replaced also. Changing the lights to LED lights which are more cost efficient; All porch lights have been replaced; All arms on the security gate have been replace; All remotes have to be manually entered due to system not working
- Reminder: Let the renters know that the trash doesn't go into the dump trucks or trash bins; Any changes to common property requires board approval prior to making the change; Leave a message on the answering machine after hours unless it's emergent, also email all concerns; No packages will be accepted at the office; There will be a WAPA increase in July; Pool is through the Elysian
- CBW will be rebuilding throughout the year

Suggestion: Owner's who do not inform their renters of the current procedures, i.e. trash removal and office policies, on property should be fined.

Question (A. Paiewonsky): There is an arch on the roofs, concern is that during the storm wind will get under and lift it. We will get a professional come in and inspect everything.

Question (A. Paiewonsky): After the construction, is the round about going to be replaced? There will be a board meeting to address whether or not that will be replaced.

Comment: These are oversights that should not be looked out. Once something is pointed it then it is handled but there should be a manager that sees all the trash piled up and managed it. The roofers have a superintendent that is supposed to be on top of everything and there will be improvements made.

Question: Last year we were talking about putting the water system on a different generator system, is that still being done? Yes it is.

Treasurer Report (Report given by Nick Overmyer in John's absence)

Suggestion: Either send the budget out prior to the Annual meeting or have a copy for each owner at the meeting

- Reported Bank Balances as of Dec 31, 2018 – Banco Popular Operating \$5,557, Banco Popular Special \$69,817, 1st Bank \$203,430, and the reserve fund having \$256,000 for a total of \$534,804.00
Question: Can you explain the ? It's the cost of things on the property
- We were on point with the budget

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- We were not collecting enough insurance money for the first 3months
There was an \$80,000 shortfall, this will be collected throughout the year
Question: There seems to be a mistake on the insurance sheet. I'll take a look at the end of the meeting.
- CBW may have to do an assessment, however we are working hard to delay this as long as possible
- We've secured the ability to borrow money from SBA, this will be done after the insurance claims have been finished.
- This year there was no budget for the Capital improvements
- Cash equivalent and budget break downs were available to the owners to review; and could be emailed upon request.
- Owner fees (O&M) and reserve fund fee will remain the same; Owner insurance will increase due to the shortfall. The increase will last from April 1 – December 1.
 - The increase are as follows:
 - 2bd - \$349.63
 - 3bd - \$407.58
 - 2bd plus loft - \$457.85
 - 3bd plus loft - \$528.09
 - 4bd - \$499.29

President's Report:

- Thanks Holly and staff for the their hard work throughout the year
- We're working on beach permits, Elysian is responsible it is a long process.
- Explanation of what a bond beam is and what it is for structurally; Under the advice of an engineer/contractor it was suggested to replace the bond beams to keep the structural integrity (the length of time for the bond beam repair varies)

Question: Has everyone been contacted about the bond beams? And have they all been checked? They have not all been checked, the main focus were the Leeward building, but they will all be checked.

Question: Can you send out a list of scheduled repairs and the repairs that have been completed? It's very hard to send out a schedule because we are working along with the owner's schedule.

Suggestion: Someone may need to be paid to walk to property to help lessen Holly's work load, and point on the things that are not being done, this should be turned into Holly

Lawsuit: Walters/Kromenhoek - This case remains pending before the 3rd Circuit Court of Appeals with Oral arguments being completed in May of 2016. At this time, we are at the whim of the 3rd Circuit Court of Appeals as we await their ruling on the pending appeals. No further submissions have been requested by the Appeals Court. We will keep you apprised of further developments.

W-27 – Cowpet has been engaged in an action brought to recover unpaid common charges on a unit. A judgment in favor of the Association was recovered on October 21, 2016, foreclosing the lien for unpaid charges, including an award of legal fees. The Association was, upon entry of that judgment, entitled to take possession and rent the premises. A foreclosure sale on the judgment in favor of Cowpet will proceed in due course.

A financial institution claiming a mortgage on the same unit has filed a separate action to foreclose that mortgage. Proceedings in that case have recently begun. The court has taken no action to date in that matter.

2018 - 2019 Insurance Summary					
Type of Insurance	Vendor	Coverage	Deductible	Renewal	Cost
All Perils Policy	Lloyds	Agreed Value		03/31/19	\$355,456.00
Earthquake/Tsunami		\$20,982,504.00	2%		
Windstorm		\$20,982,504.00	2%		
Flood		\$20,982,504.00	\$10,000.00		
All Other Perils		\$20,982,504.00	\$2,500.00		
General Liability	Lloyds	\$2,000,000.00	\$2,500.00	03/31/19	\$7,500.00
Directors & Officers Liability	Lloyds	\$1,000,000.00	\$10,000.00	03/31/19	\$9,000.00
Automobile	Theodore & Tunick	\$300,000.00	\$500.00	07/01/19	\$2,831.58
Fidelity Bond	Executive Insurance	\$250,000.00	\$2,500.00	01/31/20	\$1,425.35

- We received all of the Irma claim funds; We have put another claim in for Maria.
- The insurance adjuster and team will come down to assess that this claim can go front, we will have to prove that the damage is separate from the Irma damage.
- Expect to spend between \$2.3 and 2.5million on repairs.
- If the money is not received from the second claim we have secured the SBA loan, so we should have funding to cover all repairs.
 Question: Who is authorized to get the SBA loan? The board is authorized, we asked the lawyers and they stated the board has the authority.
 Questions: Does it require a vote from the owners? No it does not
 Question: It was mentioned that you will have to borrow the money, is this because we don't have enough insurance money? Is the insurance going to give us less that we need to make all the repairs? We are informing everyone on what may happen in the event we do not receive the money from the additional claims.
 Question: Does that mean we would have to make an adjustment to our policy? Yes we may.
 Question: How much money to we have left to collect? We received all of the Irma funds, for Maria the wind portion \$2.5mil and the flood is fluctuating is approximately over \$500,000. It is just over \$3mil to claim
 Question: On page 2? That is an employee personal issue, it is taken out of his salary and paid directly to the VI government. It balances out because he doesn't get his full check.
 Comment: In the event that the SBA unit is done by unit then the owners have to have a vote on it.

New Business

Dump Truck: We have purchased a new dump truck, it is on island and on either Monday or Tuesday it will be on property

Question: Will the old one be removed? Yes it has been sold and will be moved.

Question and Answer

We move to the question and answer, Nick reminded owners to keep their comments and questions to 3mins.

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Question: Are we putting the water on the electrical system? We have looked into it, and we have decided to get another used 500K generator and we will alternate between the two. It will cost more to rewire the property for a smaller generator to run the water, than it would to buy another generator and alternate.

Question: Is it a possibility that we can use the rain water as fresh water? We've talked about it, but the problem is getting the metering done. We've done this years ago and the system wasn't able to support it (D. Rebak?) I'm talking with Poly Caribe, and someone who builds water systems to see if this is something that we would be able to do. This would be months of work to be done and the water will have to be off for a substantial amount of time. (H. Weston)

Question: In regards to the second generator, have you thought about getting a back up battery that can keep it charged. The battery only last for a few minutes.

Question (Gwozdziak – W38): I have received several emails from Holly Norton (W-39) in regards to my guest walking in front of her door. My question is isn't the walkway common property. She's gets on her camera and yells at guest as they walk by. This is common property and she has been told several times that she can not stop anyone from walking there.

Suggestion: Can we consider leaving the grounds unmanned, and use the money budgeted for security somewhere else. I would suggest that the board leave the property unmanned for a period of time until we have more funding.

Question: Is there a schedule being ran that will test that the generator is working properly? Once the switch gear is working properly it will be set on a schedule. Also, we do have maintenance every two months.

Suggestion: There are somethings that seem to be hazardous, due to the poor lighting in the parking lot and the rock wall. This is on the top of this list.

Suggestion: Given all the concerns that the owners have brought up today and so CBW can prioritize the problems, do you think there should be an owner's survey done so that we can see all the concerns owners have. We can talk about it off line (Nick) I agree that a survey can help (Holly and Ehren?)

Anna Paiewonsky?: According to Robert's Rules I would say something like, I move that we enact a total condo survey asking specifics such as Do we want to consider dropping the security. Once a motion is made we would have to move on it now. I can't control you making a motion, but I would suggestion we discuss this further. Making the motion often changes the bylaws (Nick)

Sharon Levin: I volunteer gather the questions and to create the google survey and make it anonymous.

Question: Was there a sewage back up in the Leeward area? There was an incident about 2weeks ago, it was a pipe that burst. The pipes do need to be replaced.

Comment: Prior to the gate, there were car thefts and random cars parked on property.

Suggestion: I'd like to see the meter readings printed on our billings. We used to get the beginning and ending meter reading on our billings.

We have the meter readings in the office and once requested you can get it.

Election Results:

- Ehren Henderson
- William Leitch
- Christopher Crowe

The winners were recognized.

There being no further business, the meeting was adjourned at 11:30 am.