

**THE TIMBERS CONDOMINIUM OWNERS
ASSOCIATION, INC.
SPECIAL BOARD OF DIRECTORS MEETING
Held January 28, 2021 – via zoom video conference call**

MINUTES

I. CALL MEETING TO ORDER

President Gordon Bown called the meeting to order at 11:03 A.M.

BOARD MEMBERS PRESENT:

Gordon Bown	-	President
Earl Cluff	-	Vice President
Alma Ernst	-	Treasurer
Kelly Dick	-	Secretary
Mike TenEyck	-	Excused

MANAGEMENT COMPANY STAFF PRESENT:

Douglas Wilcox	Sr. Vice President of Resort Operations
Angie Illum	Resort General Manager

INVITED GUESTS:

Roy Bosley	PROMAC – project manager
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A motion was made by Earl Cluff and seconded by Alma Ernst to suspend the required 5-day notice of meeting requirement. Motion was approved by unanimous affirmative vote. Mike TenEyck was absent but had previously acknowledged that the meeting had been called and asked to be excused.

II. AGENDA

There was no agenda. The only topic of discussion was the water/condensation problem in the new Clubhouse with the purpose of identifying the cause and obtaining a resolution.

Gordon invited Roy Bosley to address the board and inform them of the problems the clubhouse was facing and the solutions he recommended.

Roy reported the following:

- The water problems in the clubhouse have been present since the building was turned over to the association from the builder.
- The current water damage is so extensive as to have caused mold in the attic and a large water bubble forming in the ceiling over the pool.
- The insulation in the area over the pool is saturated with water and must be removed and replaced.
- Initially, it was thought to have been a problem with the roof and efforts were made to have the roofing contractor make the necessary repairs. The roofing contractor did come to the property to investigate and together with Roy and Starr Construction found that the water intruding the building was not coming from the roof, that the roof was intact and functioning correctly.
- During the process of identifying the water leak, heat tape had been prescribed to be installed on the roof to mitigate ice building up.
- The failure of the exhaust fan in November 2020 was a surprise as it was new equipment, but it had been corroded so badly from pool chemicals that it had failed. It took four weeks for a replacement fan to arrive and be installed.
- Richard Creason of Meyers Anderson Architecture has claimed that it is the lengthy absence of this fan that has brought the clubhouse to this current level of damage.
- Roy and Angie as well as other service teams that have been in the clubhouse to repair it do not agree and it is felt that the cause is several design mistakes.
 - The original dehumidification equipment was returned to the manufacturer by the builder due to it being too large to fit in the finished room. The new equipment was smaller and may not be sufficient or meet manufacturers

specifications.

- Roy has contacted Seresco, Who manufactures equipment to learn if the specifications for the clubhouse are accurate or not.
- There is evidence that the installation of a sealed vapor guard was to be installed and there is not one. Mr. Creason has suggested that the insulation and the epoxy paint on the wallboard created the vapor barrier specified.
- Roy is evaluating with Angie the humidification records to determine if installed equipment monitoring the levels of humidity are accurate or are a factor in the building up of humidity. Angie has purchased portable test kits to compare to the installed monitors. This could be a flaw in the equipment.
- It is believed that the duct work is also not properly insulated.
- It is believed that the exhaust fan has been tasked to accomplish something it was not meant to do, that of removing moisture form the building. Its purpose is solely to create a negative pressure in the pool area so humidity does not migrate into the clubhouse. This does not exist.
- Exhaust ducts were to be insulated and they were not and the design engineer Duane agreed they needed to be done immediately.
- Mr. Creason has not addressed these concerns adequately to provide the board with a permanent solution nor to accept responsibility for the failure of the design.
- Mr. Creason has asked that the association make a claim against its own insurance policy and he will help by paying the deductible but that is all he wants to assume responsibility for.
- Doug Wilcox informed the board that he had contacted their insurance agent and he reported that this would not be covered as there is an exclusion in their policy for construction defects and equipment failures of other providers.

- Roy informed the board that if Myers Anderson attempted to not be responsible that there is a matter of “Latent Defects” in the law that allows claims upon failures even after a warranty period has passed.
- Mr. Creason contacted Bill Hillman of Idaho Fire and Restoration to come to the clubhouse and evaluate what needed to be done and then do it. He reported that the insulation all had to come out as it was saturated with water and the wallboard would need to be replaced and mold dealt with.
- Roy informed the board that he has provided a consultant with the information about the clubhouse so they could create a specifications that would be necessary so they can be compared to what was actually done. In this way we can establish the fact of whether the design provided and installed for the association was correct or not.
- Roy recommended that the board notify Richard Creason that they demand to have the matter corrected. That the obtain a copy of his liability insurance so that a claim can begin and that the association file a claim.
- Roy is attempting to learn why the dehumidifier equipment that arrived on the job was sent back to the manufacturer. It was stated that it was too large for the finished building/room that the contractor had built so it was sent back to be made smaller. They also paid a restocking fee as the equipment was not faulty. He will attempt to learn who paid the restocking fee as that is not usually paid if it was the fault of the manufacturer. It creates a question of whether the contractor or someone decided to change the equipment specified so that they did not need to tear down a portion of their construction.
- It was discussed that Richard Creason was not communicating with Roy and that he always would go to Angie instead. The board all agreed that they would inform Meyers Anderson that Roy was their representative and that they would need to address all these issues with Roy as he is their expert.
- The board directed Roy to proceed to draft a letter

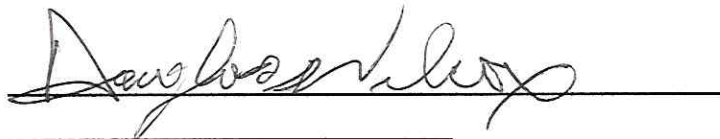
with the support of Doug Wilcox to notify Meyers Anderson to submit a copy of their insurance and to make the corrections to the clubhouse that will permanently fix the water problems. This letter is to be sent from Gordon as President and to be done Friday, January 29, 2021.

- Angie was asked to obtain the failed fan that Starr Construction removed from the property as it will need to be studied to determine why it failed.
- Angie is to continue a comparison study of the room temperature, water temperature and the levels of humidity.

III. ADJOURN MEETING

A motion was made by Alma Ernst and seconded by Kelly Dick to adjourn the meeting. Meeting adjourned at 12:22 P.M.

**MINUTES PREPARED BY:
APPROVED BY:**



**Douglas Wilcox, Sr. Vice President
Dick, Secretary
Trading Places International, Inc.
Timbers Condominium Assoc.**

MINUTES



**Kelly
The**