

Tate HOA Board of Directors
Minutes
January 18, 2023

Tate Board of Directors Present: John Fisher, Chairperson, Mark Hudson, Secretary, Marion Sweeney, Treasurer, Meredith Compton, Vice Chairperson, Dean Kortge, Chairperson Emeritus

Tate BMC Management Present: Diane Sollinger

Homeowners and Residents Present: Joel Chinitz, Joan Chinitz, Carol Whipple, Don Doerr, Robert Davis, Franzeca Drouin, Diana Gardener, Judson Parsons, Doug Hintzman, Joan Hudson, EM Jenson, George Kaufman, Helen Kaufman, Sherrill Kirchhoff, David Kolb, Carolyn Kortge, Anne Niemiec, Jim Maxwell, Nicki Maxwell, Rose Nestor, Nancy Piccioni, Lew Powell, Christine Sauer, Omar Shemdin, Maureen Sherman, Jean Tate

Call to Order: The meeting was called to order by Acting Chairperson John Fisher at 4:00 PM.

Board Organization: Given that Meredith Compton had been elected to fill a Board vacancy during the Annual Meeting on December 14, 2022, the first item of business was to elect officers for the 2023 year. A motion was made to elect the following slate of officers: Chairperson, John Fisher; Vice Chairperson, Meredith Compton; Secretary, Mark Hudson; Treasurer, Marion Sweeney; Chairperson Emeritus, Dean Kortge. The motion was seconded, discussed and adopted unanimously. Accordingly, from this date forward, John Fisher and Marion Sweeney will have signatory authority and Dean Kortge will be relieved of his signatory authority.

Note: With this change in BOD membership and Dean Kortge's end of service as Chairperson, the signatories on all HOA financial accounts will have to be updated. All institutions holding Tate HOA accounts will be instructed to:

Remove Dean Kortge as signatory on all Tate HOA accounts

Add John Fisher as signatory on all Tate HOA accounts

Recognize Joan Hudson as replacing Don Doerr and having permission by the Board to answer any questions and to provide relevant information regarding account balances, procedures, on-line access and related topics.

Minutes: The Minutes of the November 16, 2022 Meeting were approved as written.

Chairperson's Report: John Fisher thanked Rose Nestor and Dean Kortge for their excellent service to the HOA and Board. He announced that he had appointed Joan Hudson to be the new Chairperson of the HOA's Investment Committee and that the Committee shall also include Diana

Gardener, Marion Sweeney, Christine Sauer, and Don Doerr. John also announced that Em Jenson will replace him as Chairperson of the Special Window Committee.

Treasurer's Report: There was no new report given at this meeting. Retrieval of New data has been delayed due to the institutional process of updating Board approved signatories.

Questions and Comments: None were offered at this point in the meeting.

Committee Reports:

Investment: Joan Hudson, Chairperson

Although there was no new report given at this meeting, there was the recommendation that, in the future, the monthly investment spreadsheet should be sent by the Board to all members of the HOA. In addition, the Committee recommended that \$60,000 be withdrawn from the MM account at OCCU and deposited in a CD account with NWCCU offering an annual rate of 4.25%.

Note: A motion was made to withdraw \$60,000 from the MM account with OCCU and deposit the entire amount into a CD offering an annual rate of 4.25% with NWCCU. The motion was seconded, discussed and adopted unanimously.

Note: A motion was made that the BOD forward the monthly updated investment spreadsheets to all HOA members. The motion was seconded, discussed and adopted unanimously.

Building: Doug Hintzman, Chairperson

Doug announced his resignation as Chairperson of the Building Committee. He was thanked and unanimously applauded for his long and invaluable service to the HOA.

To the Tate Board:

The time has come for me to resign from the Building Committee, which President Joyce Owen asked me to chair back when committees were first being established. (She originally put 9 members on the committee.)

I have an envelope to turn over to the Board. Here is what is in the envelope:

1. A passkey, labeled T, which should open almost every interior door, and a trash-room key, labeled TD. (I also have my personal TD key, like everyone else.) Whoever gets custody of the T key should review the Tate's key policy. The Board as a whole may want to review the policy.

2. A set of 4 barrel keys for the elevator control panels. The keys, unfortunately, are unlabeled.

3. A collection of 7 keys that I believe Joyce gave me back at the beginning of time. At one time, one of the keys could be used to turn off the chirping entry-way alarm, but I doubt that the key works in the recently-installed system. I do not know what the other keys are for. Some of them look too old and

worn to have been minted when the Tate was constructed. The collection of 7 keys is labeled with a tag that says "US ARMY." I have never been in the army. Maybe Joyce knows the origin of the label.

4. Three plastic "TATE VISITOR" prox cards (01, 02, and 03) that work in our door-security system. I believe these particular cards will open only the front entry door. As I recall, I was one of three owners who Jim Weston empowered to issue prox cards, a couple of years after the security system was installed. The other two such owners were Joyce Owen and Jim Nakadate. It has been quite a while since I last issued a visitor card. I think it is usually done by BMC. The prox cards are assigned on-line, through facilities of the Brivo security company. For some reason that I never understood, although both were installed by Security Monster, the camera and door-access systems are operated by different companies.

I think Jim Weston has a dedicated Brivo app on his Windows computer. My access is through a web site that I have credentials to log into. I do not know exactly how one gets authority to access the site, but it has useful features that go beyond issuing prox cards. It shows which fob, remote, or card was used to enter the building, which door was opened, and when it occurred. It also shows if a door has jammed. An authorized user can also use the Brivo system to open doors remotely. Personally, I find it useful for checking to see whether the mail has been delivered to the building.

I can also access the site on my iPhone through a downloaded Brivo app, although the app does not seem to have the same functionality as the web site. I may be wrong, but I do not think the phone app can be used to issue prox cards. Jim Weston should be able to enlighten people more than I can regarding Brivo.

The Board might consider whether there is a way to make all homeowners authorized Brivo users, so they can monitor the doors just as they can now access the cameras.

I will let you know if other matters occur to me. In the meantime, please let me know where and when you would like me to deliver the envelope.

Doug Hintzman

(as submitted in writing by Doug Hintzman)

Social: Ginger Fifield, Chairperson

Mary Okief reminded all of us that there would be a Friday At Five get together in the Laurel Fisher Gallery at the end of the present week.

Art: Nicki Maxwell, Chairperson

Nicki affirmed that the current exhibit has been well received and that the artists' reception was very well attended. She reminded the attendees that there is a Special Box in the Gallery welcoming comments and questions for the Artists.

Landscape: Jim Maxwell, Chairperson

There was no new report at this meeting. Jim referred to his Annual Report given on December 14, 2022. This report is repeated below:

Tate Landscape Task Force — Annual Report
2022 HOA Meeting Dec 14, 2022

Key areas of focus in the past year:

1. Protection of Tate Ash trees amid threat of Emerald Ash Borer: The Task Force, with BMC, has contracted Glass Tree Care to treat the eight ash trees in the parking strip in front of our building. In mid-spring, after bud break, a chemical insecticide will be injected into the trees to eradicate larvae deposited by the ash borer. The treatment is effective for two years and will need to be repeated in 2025 if the Emerald Ash Borer threat continues. No action is recommended for three ash trees on the south border where two trees have shown previous weakness due to soil conditions.
2. South Border fence and gate. The Task Force recommends no immediate action regarding fencing or gate openings at the southeast corner of our property. Plans by developer of the four-plex on the neighboring site call for installation of a gate that will close Tate access to the east alley. So far, no action has been taken by the developer to close that egress. Situation should be assessed after changes made on neighboring property have been completed.
3. Annual tree care and maintenance. A program of annual review of Tate trees by Sperry Tree Service has been established to monitor continued health of our trees and provide maintenance pruning as recommended by Sperry.
4. Street Leaf Removal. The Tate's landscape contract with BMC has been updated to include seasonal removal of street leaves from the gutter in front of our property. Term of service is estimated for about six weeks during leaf season.
5. Landscape Coordination. During the past year, Landscape Task Force members established a monthly review and walkabout with BMC manager Diane Sollinger and landscape supervisor Gentle Anderson. This procedure has led to a cordial, productive path of communication for matters related to our landscape. We acknowledge the time and commitment that BMC has made to this communication process and very much appreciate the working relationship that has evolved.

(as submitted in writing by Jim Maxwell)

Terrace Landscape: Marge Vinolus , Chairperson

There was no new report given at this meeting.

Insurance: Dean Kortge, Chairperson

There was no new report given at this meeting.

Budget: Hallis, Chairperson

There was no new report given at this meeting

Reserve Replacement: Mark Hudson, Chairperson

HOA members were asked to review The Tate Maintenance Plan and Reserve Replacement Study for 2023 and invited to provide the Committee with their questions and suggestions. The Committee will hold its first meeting sometime in February or March 2023.

Unfinished Business:

EV Charger Work Group — Committee Chairperson Appointment

The EV Charger Work Group was converted to the EV Charger Special Committee and Jim Maxwell was appointed Chairperson of the newly formed EV Charger Committee.

Window Work Group — Committee Chairperson Appointment

The Window Work Group was converted to the Window Committee and Em Jenson was appointed Chairperson of the newly formed Window Committee.

EV Charger Work Group Recommendation

The following recommendation was originally submitted by the EV Charger Work Group:

Chairpersons John and Dean, Enclosed is a report and recommendation/ request from the EV Charger Working Group for consideration at the January Tate Board Meeting. A copy will be sent to each Board member and Diane Sollinger, Diana Gardener will be present at the Board meeting to clarify any issues that might arise. I apologize that I will be unable to attend.

Jim

CHARGER REPORT

The "Working Group" considering the installation of an Electric Vehicle charging station met on January 5 to consider if its research in the past twelve months warranted a recommendation to the Board to regularize its existence. In attendance were Diana Gardener, John Fisher and Jim Maxwell.

History. Early in 2022, Board Chair, Dean Kortge, requested a small group of owners and staff to review issues related to purchasing, installing and operating a charging station for electric vehicles (EV) at the Tate. Individuals who participated in one or more work sessions included Diana Gardener, Jim Maxwell, Diane Sollinger, David Garrett, John Fisher, Richard Savell and Carol Whipple. Additionally, owners were invited to participate in a written survey designed to determine interest in purchasing an EV and to use a charging station if one were installed at the Tate.

Summary of Survey. Many owners indicated that the next car they purchased would be an EV, however no urgency was noted for the time to purchase.

Several also indicated that the availability of a charging station at the Tate would encourage their purchase of an EV. Some expressed a belief that a charging station at the Tate would enhance the value of their property.

Recommendation. The Working Group has continued its deliberations without formal recognition or inclusion by the Board. The Working Group believes that there is substantial interest and support from the owners for the Board to formalize the Working Group's existence in a manner similar to HOA Committees and recommends:

- 1.) That the Board appropriate \$1000 from the Asset Acquisition Fund for use by the Working Group to contract with an experienced consultant to guide its work in developing a model on which the charging station could be built.
- 2.) That the Board agree that any HOA owned parking spaces would be available for consideration as a site for installation of a charging station.
- 3.) That the Board agree that the initial cost of installation of a Tate-wide charging station would be financed by HOA budgeted funds
- 4.) That the Board agree to develop and implement a plan to recoup 2% of the cost of parking space acquisition and charging station installation through a one time "buy-in" charge to EV resident-owners who choose to use the charging station.

If the Working Group continues its deliberations as a Board sanctioned entity, it would endeavor to:

- 1.). Expand its permanent membership from 5 to 7 members (5 owners, 2 staff)
- 2.) Set goals of having a preliminary draft model for Board and owner review by December 31, 2023; an adopted model by December 31, 2024; installation during 2025.

Jim Maxwell

Diana Gardener

John Fisher

(as submitted in writing by Jim Maxwell)

Note: The EV Charger Working Group was formalized into an HOA Committee. A motion was made to adopt Part 1 of its recommendation. The motion was seconded, discussed minimally, and adopted by consensus with one (1) “no” vote from Dean Kortge.

Window Work Group Recommendation

WINDOW WORK GROUP
RECOMMENDATIONS FOR THE TATE BOARD OF DIRECTORS CONSIDERATION 1/11/2023

Board of Directors,

The Window Work Group composed of Jean Tate, Jim Maxwell, Mary Okief, Em Jenson and John Fisher have been meeting regularly to clarify homeowner and HOA responsibilities for maintenance and repair of our Pella Windows. The following recommendations are based on our interpretation of Bylaws Section 8.1.2 Common Elements, Declaration 4.3.1 Primary Units and 13.2 Maintenance of Units.

RECOMMENDATION ONE: WEATHER STRIPPING REPLACEMENT

Casement window weatherstripping is a component of the building envelope and plays an important role

in preventing water intrusion. Protection of Units from water intrusion is an HOA responsibility.

We recommend that the Board of Directors select a contractor to do the replacement work, develop a plan to replace weatherstripping and manage the project.

We recommend that the cost of materials and labor be borne by the HOA.

RECOMMENDATION TWO: MAINTENANCE AND REPAIR OF CASEMENT WINDOW OPENERS

Improperly latched casement windows are a potential source of water intrusion. The Window Inventory done in 2022 noted that a significant number of casement windows did not latch properly.

We recommend that the Board of Directors select a contractor and develop a program to inspect, clean and adjust casement window hardware and manage the project.

We recommend that the cost of materials and labor be borne by the HOA. RECOMMENDATION THREE: INTERIOR WINDOW FRAME FINISH REPLACEMENT

The Window Inventory conducted by the Board of Directors in 2022 noted that many interior window frames and casement windows were in various levels of finish degradation. The degraded finishes have the potential to permit condensation or high humidity to damage the wood frames even without additional intrusion from the exterior of the envelope.

We recommend that the Board of Directors adopt a policy that specifies the type of clear coat finish or paint most suitable for the interior wood surfaces of all window units including those in the common areas. The policy will be based on input from a minimum of 2 local paint contractors.

Owners will be required to use a product of a quality level equal or superior to those approved by the Board.

We further recommend that the Board of Directors solicit pricing from qualified contractors and organize refinishing in the same manner that furnace maintenance has been done historically. Individual owners will be responsible for maintaining window finishes as they degrade due to time and normal wear and tear.

We do not recommend that the HOA bear the costs of regular maintenance or refinishing of interior window surfaces in residential and commercial units.

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RECOMMENDATION FOUR: CAULK FIXED WINDOW UNITS AND REPAIR EXISTING

WINDOW-TO-BRICK CAULKING ON THE SOUTH AND WEST FACING RESIDENTIAL UNITS.

Water intrusion has been identified in a number of units facing south or west. These exposures are particularly hard on windows. The north and east facing windows are not exhibiting the same degree of intrusion and are not a part of this recommendation.

Failed sealant inside the fixed glass frames appears to be a source of some of the intrusion. Hairline cracks in the window-to-brick caulking as well as caulking shrinkage are also a likely entry point for water.

We recommend the Board of Directors select a contractor to do a visual examination of all window units facing south or west. In addition to examining the units for defects all fixed glass window frames would receive silicon caulking on the seam where the aluminum cladding meets the glass. Additionally, caulking between the brick and window frame would be repaired or replaced where needed.

We recommend the cost of materials and labor be borne by the HOA.

SUMMARY

Recommendations the Board of Directors approve should have a target date for implementation in the spring or summer of 2023. Contractors capable of managing a project of this scale are not easy to find at this time. We strongly urge the Board of Directors to move quickly to reach out to qualified contractors and request proposals.

Respectfully, Window Work Group

(as submitted in writing by John Fisher)

Note: A motion was made to fully adopt the Window Work Group recommendation as submitted. The motion was seconded, discussed and adopted unanimously.

MH Engineers' Proposal

The proposal from Morrison Hershfield Building Specialty Services for engineering consultation and support with the remediation and repair of damage to The Tate balconies was reviewed.

Note: A motion was made to accept the proposal as written, with verification that it includes the clear calculation and determination of whether or not the 4 bolts fastening each guardrail, at the outermost corners of each balcony slab, are structurally necessary to support the guardrails. This will be requested during the process of Diane Sollinger's correspondence with MH Engineering. The motion was seconded, discussed and adopted unanimously.

Exterior 2nd Floor Balcony Signage

John Fisher announced that he will appoint a Chairperson to head a committee to address this and other building signage concerns.

New Business:

Bylaw Review Request

From Nicki Maxwell:

This comes to you, the HOA Board, as a request to give thoughtful consideration to amending Bylaw 7.13. I have outlined below specific instances in which the bylaw has not served a clear purpose. It would behoove the Board to take up the matter now when there is no dispute involved. I believe most residents will appreciate clarification. Several residents (me included) have hung lights from their balcony. A case can be made for the lights to be in violation of the bylaw. Ideally language would allow residents some discretion, but in keeping with the goal of maintaining the tasteful aesthetics of the building.

Background and proposal

Two years ago a former resident of the Tate put up a shade on their patio to ostensibly protect from sun and wind. The shade was blue plastic and visible from the street.

Apparently, the resident was informed that the shade was in violation of HOA Bylaws; requiring HOA Board approval. The resident's response was to ignore the warning. The matter was never brought to the HOA Board. Months later, that unit was sold with the shade in place. The new owners refused to remove it.

Unfortunately, no action was taken by the current Board in response to this recent refusal. At present the issue seems to be resolved in that the current owners have sold the unit in question. The next owner of the unit has agreed to remove it.

It might seem that the matter has taken care of itself, however, I and other residents believe it would be a serious mistake to allow the issue to pass without Board review and deliberation. Specifically, the bylaw that was violated should be reviewed with clarification added.

Bylaw 7.13 limitation on Storage Areas . . . no storage of any kind shall be permitted on the balconies or terraces located adjacent to any of the Primary Units, except for the following specific items: outdoor propane or gas (I believe gas has been prohibited for insurance purposes) barbecue grills, patio furniture, and plants. Plants may be located on balconies or terraces, so long as these do not protrude from the balcony or terrace or overhang the balcony or

terrace railing. In addition, no items of any kind may be hung from the balcony or terrace railings or walls without the prior approval in writing of the Board of Directors.

In light of the language above, the blue shade was not hung from the balcony, nor was it hung over it as described in the bylaw. However, the implication is clear in the first sentence disallowing storage of any kind on the balconies. Anything markedly different and clearly seen from the street will detract from the aesthetics of the building. This appeared to be the basis for the Board's decision to deny a resident(309) who requested approval to install a graphic on the inside of the balcony railing to be viewed from the inside of the unit.

In another example, residents purchasing umbrellas for their balconies to provide protection from sun have been directed to purchase umbrellas of a similar color, i.e. a brown shade that blends with the brick exterior of the building.

Since the issue has never been officially deliberated by the HOA Board the controversy will likely rebound in the future. The bylaw would be strengthened with revision to make clear the specific purpose and intent of it.

(as submitted in writing by Nicki Maxwell)

Note: The request was accepted by the Board. John Fisher asked Nicki Maxwell to Chair a working Bylaw Review Committee and she agreed to do so.

Middle Garage Door Repairs

There was agreement to postpone middle garage door repairs until further pertinent research and evaluation can be obtained.

Twin Rivers Plumbing Repair

Note: A motion was made to accept the \$1,800 bid, from Twin Rivers Plumbing, Inc., for the repair of a copper cold water line. The motion was seconded, discussed and adopted unanimously.

Meeting Adjourned: 5:15 p.m.

Next Meeting: February 23, 2023 at 4:00 p.m.

Respectfully Submitted,

Mark Hudson, Secretary