

## THUNDER ISLAND CONDOMINIUM ASSOCIATION

### WINTER 2020 NEWSLETTER

Hello Fellow Islanders: The Board of Directors and I trust and hope that everyone had a safe and enjoyable Thanksgiving for which we all send you belated good wishes. We extend thanks to everyone for your understanding during these most unusual times and how it has affected all of our lives. As you all know the annual owners meeting was cancelled due to the restrictions enacted by the Governor of Maryland just before our scheduled meeting. It was decided by the Board out of an abundance of caution and to follow the directive of the Governor that the owners meeting would be cancelled and rescheduled to be held in the Spring 2021 when we have normally gathered for our Spring meeting. In the past the Spring meeting was an informative meeting to kick off the coming Summer season. This year however, it will become the annual meeting with an agenda, sharing of vital information, election of nominees to the board, open discussions, etc. That meeting is tentatively scheduled to take place at the Convention Center on Saturday, May 15, 2021 in the afternoon at 2:00 PM. If we are allowed to proceed with the meeting considering the pandemic and its impact, you will receive the required notices in a timely manner as governed by our " By Laws", including adequate notice and nomination forms to those wishing to seek election to the Board. We will keep you up to date as we near the meeting date.

THE YEAR ----- I thought I would try to list for everyone some of the many accomplishments of the board during the past year which would have been discussed at the cancelled owners meeting and they are as follows:

- a. Installation of new pier light " A " Bldg. pier.
- b. Walkway repairs identified and in process.
- c. Hallway entry doors repaired where needed.
- d. Yearly Audit completed.
- e. "D" Bldg. erosion issue finished in January.
- f. New appraisal completed.
- g. New Reserve Study of property by GMB Engineering completed.
- h. Budget passed as presented to owners in mailing.
- i. Erosion study of balance of property buildings completed.
- j. Approval of an alternative porch deck coating.
- k. Suspected erosion issues at pool and along board walks investigated.
- l. Updated Fire Protection Services equipment.
- m. EFIS repairs completed to porch areas as well as failed caulking.

FINANCE AND BUDGET ---- With the guidance and leadership of Les Schott, Treasurer and the assistance of Rich Mahan and Brett Staley the budget for the coming year was prepared and submitted to the owners as part of the owners meeting packet of information. As I am sure you noticed there is a projected increase in the budget over the previous year resulting in an increase in condo fees of \$80.00 annually or \$20.00 per quarter. Coupons for Condo Fee payment are being mailed out to owners by "Farmer's Bank of Willards" separately. Condo fees annually are now \$3,920.00 and as projected a few years ago by the Board that it

was the plan then and hopefully in the future to increase the annual dues yearly to keep pace with the needed maintenance requirements of our facility as well as to meet our obligation to pay our debt which was incurred as a result of the siding project. You can rest assured that the Board with the guidance of the two CPA's we are fortunate to have on the Board are attempting to manage the finances of the association most efficiently and effectively.

MEETING DATES ----- Mark your calendars for the future date of November 13th, 2021 for the regularly scheduled Fall owners meeting. Also, the tentatively scheduled meeting dates for the Board of Directors in 2021 are Jan. 23rd, March 20th, May 15th, after the re-scheduled owners meeting. August 14th, and November 13th, after the Fall owners meeting.

ARC COMMITTEE ----- I will now try to give you a brief update following the agenda we were to follow at the owners meeting. The newly organized " Architectural Review Committee " (ARC) is still in the process of being re-organized after a few years of inactivity. Mr. Andy Balto a registered architect and past Board member as well as a year-round resident has volunteered to head up the committee. He has already reviewed the "Architectural Variance Form" which is on the web page and recommended changes to bring the form more up to date and more in line with today's needs, to be more pro-active and to be even more protective of the association. If anyone is interested in joining Andy on this committee, please feel free to let us know. It would be ideal to have a representative from each building on the committee.

MANA -JIT ----- As previously mentioned in other correspondence, the transition to " Mana-Jit " as our management company was a very smooth transition and they have been very good to work with this past year. Brett Staley of " Mana-Jit " has recently provided some information about water leaks which he is concerned about. He has provided some advice on ways to avoid water leaks that may possibly damage your neighbors' property. This can be very costly to you if you are the origin of the water leak beyond the deductible your insurance coverage may provide. It can also be costly to the association due to the damages if extensive. To date Thunder Island has experienced well in excess of 25 water leaks and the year is not over. The best advise that Brett has offered is basically "preventive maintenance". One needs to keep in mind that our condos are approximately 36 years old and nothing lasts forever. Below are the listed items of concern in dealing with public water and sewer with suggestions from Brett:

- a) If the hot water heater is older than ten (10) years replace it immediately.
- b) If the toilet seals (wax rings) are original replace them immediately.
- c) Dish washer supply and discharge lines should be inspected for age or leaks.
- d) Braided metal clad water supply hoses are recommended for washing machines. Also, make sure that the washer discharge hose is properly attached to the drain line.
- e) AC condensate lines should be cleaned seasonally. It is recommended that you have a maintenance contract with a HVAC contractor.
- f) If you need a plumber for any of these inspections. There are any number of plumbers in OC, a few plumbers familiar with our property are Joe at "By the Sea Plumbing" at (443) 614-6251 or "RYT Plumbing" at (410) 213-2126.
- g) There are any number of HVAC contractors in O.C. Ask your neighbor or call the " Mana-Jit " office at (410) 289-1128.
- h) Check with your insurance agent to make sure that you as an owner have insurance to protect you monetarily for damage to neighboring condos.

ATTORNEY RANDY COATES ----- Mr. Randy Coates provided the association with much advise throughout the year. Other than some topics to be covered in greater detail later in this letter, Mr. Coates reminded the association that as a condo association we have an irrevocable right pursuant to Md. Law to enter your condo for the purpose of making repairs to the common elements and except in cases of manifest danger to the public safety or property, the council of unit owners (the condo association) shall make reasonable efforts to give notice to the owner of any unit to be entered for the purpose of investigation or repair. In the past this has been a problem when once a year for instance all condo units are inspected in the Winter to make sure that the heat is "on" and the thermostat is set at 55 degrees and operable and the water to the condo is shut off. It has also been a problem in the past when the property management company receives notice of a water damage and efforts are made to mitigate further damage by inspecting adjacent and neighboring units for the purpose of investigation because such an occurrence can be considered an emergency.

It was also explained that Mr. Coates recommended that the present "By Laws" not be re-written because the existing "By Laws" drafted in 1983 and, no matter the age and it's amendments are all "subordinate and subject to" the Declaration and Md. Statutes ( Art.XVIII, Section 2 ) and thus governed by the present laws of the State of Maryland dealing with the Condo laws. For that reason, it was thought that the expense of changing and re-writing the "By Laws" was not worthwhile as long as the members of the association and the Board operate the association in accordance with the Md. Law.

SIDING PROJECT WARRANTY WORK ----- The warranty work to correct remaining failures in product or installation from the siding project which was finished in May of 2018 is in the process of being wrapped up. All of the EFIS or stucco work on all balconies was finished in the Spring and the only remaining items are the material installed on the walkways which should be totally finished very soon within I hope the next 30 days. After a walk-thru in September with the manufacturer of the walkway material, "BASF Materials" as well as the contractor " All States Construction ", " GMB Engineering", Brett Staley of "Mana-Jit", Mitch Andrews, Jim Slater and Gary Maufer a list of observed faults were addressed. Part of the suggested solution was a recommended cleaning agent to be used when power washing. The other problem areas such as bubbles on the walkways and expansion joint faults are being corrected by the contractor at no additional expense to the association because of either construction or manufacturer's warranties.

PORCH DECK COATINGS ----- As I am sure you are all aware that near the end of Summer everyone received notice to cease any installation of finishes on the limited common areas known as our porches. To refresh everyone's memory this was all the result of a 2016 / 2017 recommendation by the Board that removal of the existing carpet from the porches was recommended by two (2) engineering firms because of the latest findings that carpet should not be used as a covering in direct contact with concrete. As a result of those findings and recommendations the Board then notified the owners and suggested that all carpet be removed from the individual porch decks by 2024 and if necessary and if needed the porch be re-coated with the approved material used on the walkways. The Board was made aware of a second material being used by some owners and it was thought by the Board that the best action to take was to attempt to stop all installations of porch coatings till the new material could be reviewed and approved by engineers. It was found after extensive investigations led by Rich Mahan, V.P. that the new material was manufactured by the same company manufacturing the walkway material and after consultations with the manufacturer and the engineers it was

decided that the new material was also acceptable and recommended for installation on the porches. The end result is now the owners have two choices to install as a finish on their porch decks after removal of the carpet. Details of both materials are available on the web page. Keep in mind that after removing the carpet if it does not appear that the existing material under the carpet needs to be replaced you are not necessarily required to refinish or re-coat the porch deck.

KAYAK AND PADDLE BOARD STORAGE ---- This subject is back on course and is being considered by the Board along with all of the other needs of the association. At present there are two alternatives to consider as far as location and there needs to be further consultation with the City Zoning and Permit Division to decide upon the easiest least resistant course of action due to known restrictions of the City of Ocean City. This also needs to be weighed against other possible priorities and financial limitations in light of the recently finished " Reserve Study " developed by the " GMB Engineering " firm which will be described later in this letter. If anyone wishes to join Ken Earle who has been heading up this study and developing plans for the storage as well as launching of both kayaks and paddle boards, please let us know.

POOL OPERATIONS ----- In summary the pool operations for the past season were a constant set of changing circumstances governed by the State and local health departments as well as the impact of the Maryland State directives from Governor Hogan. As a for instance Memorial Day weekend, we were allowed to open the pool with no more than ten (10) patrons at a time. We therefore placed ten (10) lounges on the pool deck with the understanding that they were to be sanitized after use by the lifeguard at an additional cost which was approved by the Board. Keep in mind that while all of this was happening, we could have decided to not open the pool as many other condo associations decided. Within a week or ten (10) days after the ten (10) patron limitation was in affect the State decided the limitation of ten (10) patrons was increased to thirty-three (33) patrons by using a formula based upon the square footage of the pool and deck area. The Board decided when the increase was made to 33 patrons that the best move was to remove the ten (10) chaises and ask all patrons to bring their own chairs to avoid the responsibility and expense of sanitizing thirty-three (33) chaises after use. After a few weeks of the "bring your own chair" philosophy there were complaints from some owners about the "BYOC" concept. This resulted in the placement of thirty-three (33) chaises on the pool deck with the directive supported by signage that the chaises were to be sanitized by the patrons before and after use and the association provided the sanitizer.

Do we know what is going to be enforced this year? No, and neither does "Best Aquatics" our pool management company. But I am sure that it will be a bit more organized in the beginning this year based upon the last season's experience. We will be extending our contract with "Best Aquatics" again in the Summer of 2021 and just hope we are in better shape with the pandemic than last year with less restrictions. This is probably not the time to ask after hearing about what happened last year but, it would be very helpful to have an owner or owners step up and be in charge of the pool and the enforcement of the rules which is very easy because all judgments to close the pool for instance because of weather conditions or patron behavior is generally left up to the guard and "Best Aquatics" management. Last year there were only about three or four instances when early closing or temporary closing was requested because of patron behavior otherwise I believe it was a mellow year. Also, the Board decided due to lack of use later in the day the pool will close at 7:00 PM instead of 8:00 PM as in the past.

EROSION ISSUES ----- As you all know the erosion issue discovered beneath the "D" Bldg. a few years ago was finally corrected and finished in January of 2020. It needs to be understood that we have been advised by "GMB Engineering" that there is no danger to the foundations of any of the buildings or any danger to the structural integrity of any of the buildings. As a result of the "D" Bldg. condition the Board decided to have the other buildings inspected and it was found that there was evidence of erosion beneath the other buildings but, not to the degree of severity as experienced under the "D" Bldg. As a result of those initial findings in 2017 it was decided by the present Board to re-inspect the remaining buildings again to see if there was any substantial progress in the erosion. The report on the erosion conditions was presented by "GMB Engineering" in October with a list of priorities that will be followed to address the remaining erosion issues affecting the remaining buildings.

POOL, PIERS AND BOARDWALK AREAS ----- The Board was also aware of some issues with the pool deck, boardwalks along the water's edge and the fact that the piers and sea wall were approaching 20 years of age. As a result, the Board requested a study to investigate and inspect the existing sea wall or bulkhead as well as the boardwalks and the cracks in the pool deck to ascertain their present conditions as well as projections on needed maintenance in the immediate term. This information was rolled into the recently requested "Reserve Study Report" which was an update from the report received by the Board in 2016 / 2017 prior to the siding project.

I guess that here is as good as time as any to announce that Emory Sutch has decided to retire a little bit and not be fully responsible for boat and trailer registration but has also decided to help our newly appointed Dock Master, Russ Long. Emory has also decided that he wants to retire from what I call being the sheriff and enforcing parking and dog registration tagging as well as other rules of the association including no towels on porch railings, etc. Anyone interested in filling Emory's positions please let me know. At this time, I want to thank Emory for his countless years of service to the Thunder Island Condo Owners Association. You will be missed but, I also hope you enjoy your free time that is well deserved. You are definitely irreplaceable due to your interest and dedication!!!!

RESERVE STUDY REPORT ----- For those of you who do not know what such a report entails, and its purpose please note that it is the feeling of this Board as well as previous Boards that in order to be prepared for the future we need to be aware of present conditions and predicted life expectancy of materials and infra structure of Thunder Island. A major benefit of this knowledge is the known future financial needs of the association in dealing with the continued maintenance of the property and all of its structures and equipment. Keep in mind and as mentioned previously in this letter, the "Thunder Island" community is approaching 36 years of age and other than visible wear and tear there is an aging process happening for those elements not necessarily visible known as the infra structure. The "Reserve Study" that the Board requested for the association is also known as a "Long Term Capital Reserve Study" which is probably more descriptive of its purpose. Basically, the study analyzes the present conditions of all aspects of the property and based upon expected longevity of the materials and equipment making up all of the aspects of the property, the study then projects into the future a plan for maintaining the property and its improvements with anticipated financial needs to make the necessary repairs, maintenance and replacements. This report was received in November by the Board and is to be discussed at our next Board meeting in January.

INSURANCE ----- After numerous meetings with "Deeley Insurance" and with the guidance from Stephanie Owens our newest member on the Board, we were able to finalize our

insurance premiums for the Thunder Island community for the coming year 2021. As I am sure many of you have noted that insurance is the largest single item (17%) in the budget. As explained by "Deeley Insurance" the increase over the past year was due in part to the increase in the appraised value of the property. It was further compounded by what the insurance industry experienced in the past year such as the increase in the number of named storms, the record number of wildfires with over 4 million acres destroyed. Other factors attributed to this past year were the billions of dollars claimed because of riots and property damage, as well as the dreaded Covid19. We were also made aware of the fact that there are some insurance companies withdrawing from insuring coastal properties and resorts. These are all items I am sure that the representative from "Deeley Insurance" would have offered to the owners had we held our owners meeting. Check in with your Insurance company to discuss your Condo Unit Owner policy to ensure you have adequate coverage to protect you monetarily should you be liable for damage to neighboring condo's. Keep in mind the deductible on our Master Policy is \$5,000

SMOKING AND MARIJUANA ODORS ----- The Board sought out the opinion of Randy Coates as well as Brett Staley concerning the handling of complaints about people smoking on the limited common areas known as porches as well as the odor of smoke entering the interior of condo units from neighboring condos. As noted by Davey Howells, Security due to the legalization of marijuana in the State of Md. it has become a non-starter as a practical matter as far as law enforcement is concerned. Police officers feel that their hands are tied when confronted with any enforcement when dealing with marijuana. The only possible solution to resolve smoking in general would be for the "Thunder Island Association" to declare the property to be a smoke free environment which might be considered too Draconian. The end result would be that smoking would be prohibited upon the common elements (limited or general) or within a unit which activity would be considered "noxious or offensive activity" which "may be or become an annoyance to the neighborhood or other owners." Enforcement is another issue that needs to be taken into consideration in such a situation which is now handled in the evening by Security. The guard will approach the people smoking and ask them to cease . Sometimes they do and sometimes they don't according to Davey Howells. However, as many owners have already done, individual condo owners can stipulate to any renters or people using their condo unit that their condo unit is to be free of tobacco products with enforcement by the association as an agent for the owners of the condo unit. Again, enforcement is the issue and the method of enforcement. It is believed that this is an item requiring further open discussion when an owners meeting is held in order to hear everyone's thoughts.

SECURITY ---- Davey Howells is the Board member responsible for security and he reported at the Board Meeting in November that over the season there were 21 incidents reported as well as 13 unrelated incidents which are incidents not involving owners or renters on the property. In general, it was a quiet Summer with the usual noise complaints, drunken behavior and smoking as well as marijuana complaints. There were fewer incidents this year of disturbing the peace and property damage. One individual lost a fist fight with the white fencing around the "B" Bldg. shower area which damage was ultimately repaired by Mitch. There was also one after hours attempted swimming in the bay incident by someone who was inebriated and fell into the bay but was rescued by some owners and the security guard. It was felt by Davey that ABCO our security company did a good job this past year and he is recommending that we continue with them as our contractor next year. Davey is also working with Brett at " Mana-Jit " to become a member of the " Trespass Authority Program " with the City of O.C. and

the O.C.P.D. which will give us more authority along with the O.C.P.D. to enforce trespass laws. We are also working with ABCO to install and utilize a guard tracking device so that the guards can be tracked during their evening rounds with documentation for the coming season.

**DOG REGISTRATION AND RELIEF ZONES ----** This has been a continuing item of discussion over the years and according to Article X, Section, 3(e) it is stated that pets kept on the premises shall be registered with the Board of Directors. Also, depending upon how the article is written it is also inferred that only owners may have pets on the premises. This past year there were some complaints voiced by owners about the behavior of some people with their pets allowing their dogs to run free on the property which is a violation of Art. X which requires that the pets be leashed or carried. There were also complaints about allowing the dogs to defecate on the premises near the condos without cleaning up after the pets which also a clear violation. There are designated areas for the dogs to relieve themselves and they are located on the East end parking lot near the boat and trailer storage. The other location is the grassy area alongside the Convention Center on Convention Center Drive. Both areas have doggy stations with bags and disposable trash containers. As I am sure you can imagine this is also an enforcement nightmare with the many visitors that we have as renters who bring their dogs with them while on vacation whether they are allowed to or not. To a great degree it is the condo owner's responsibility to stipulate that their condo unit is to be a pet free unit. But who is to enforce the rule and keep an accounting of which dogs are registered and which are not? Which dog owner is an actual condo owner, and which is not? Definitely a topic for discussion by the unit owners at an owners meeting.

**ROOF ----** The Board is in receipt of a proposal to either re-coat all the roofs of the buildings or have an overlay of all roofs with a 12-year warranty and guarantee. Due to the present age of the roof, it will now be required that a re-coating is needed every 2 to 3 years with the re-coating due in 2021. The Board is in the midst of making a decision to either have the roof re-coated for another 2 or 3 years of life or go with the "over-lay" and get a minimum 12-year warranty and guarantee. "Mana-Jit" is working very closely with the roofing contractor to bring this to a conclusion.

**HALLWAY ACCESS DOORS ----** As noted above the aged hallway doors were all inspected and those found to be in need of repair of door hinges or closures or problems with the glass inserts were taken care of. If, however you find that there is a problem with your hallway door please notify Brett at " Mana-Jit ".

**LANDSCAPING ----** Jim Slater of the Board is heading up the "Landscaping Committee" along with Mr. Lee and Rusty LaMotte. They are to have a landscaping plan for the Board's review and presentation to the owners describing a detailed long range plan to enhance the landscaping of the property now that the siding project has been completed. The plan is to be designed to introduce and utilize indigenous plants with the least maintenance needs. All of this is to be coordinated with any other future maintenance issues that be interruptive to actual plantings. If anyone is interested in joining the landscaping committee, please contact Jim Slater.

**POLITICAL BANNERS -----** During the year some of you received notification from " Mana-Jit " about the display of political banners rather than the display of the American flag or

the Ocean City flag. For that I owe you all an apology because I was told that the practice of the association in the past was that there was not to be any display of political banners from the porches by owners.

In closing, please allow me another apology for this long Winter letter but, I thought it was important to bring everyone up to date as much as possible since our regular meeting was cancelled. Here's hoping that by May of 2021 we will be in control of this pandemic and we will be permitted to meet in person again. From the whole Board of Directors, Alex Mallari, Davey Howells, Les Schott, Jim Slater, Stephanie Owens and Rich Mahan as well as Brett Staley here's wishing everyone a Very Merry Christmas and a Happy New Year.

Best Wishes ----- Gary T. Maufer, President

Thunder Island Condo Association