

MINUTES OF BOARD MEETING

Association Westermere Condominium Association, Inc.

Date February 15, 2012

Directors Present Bill Groner, Bob Huggins, Peter McGinty, Bruce Crown,
Ray Francis

Others Present Marty Bregman, Diane Wolfson, Dan Witkowski

Call to order at 9:00 a.m. MT.

Roll call. Proof of notice. No objections to notice.

Determination that a quorum is present.

Motion by Bill Groner, second by Bruce Crown, to approve the minutes from the September 14, 2011, October 7, 2011, and December 15, 2011, board meetings. *Motion passed by unanimous vote.*

Hearing on failure of Commercial Unit 100 to provide access by the association on January 19, 2012. Marty Bregman represented Commercial Unit 100.

Discussion concerning the following issues for Commercial Unit 100:

- Fire marshall discovered nonconforming sprinkler heads and required that they be moved; Marty Bregman represented that the heads will be moved and then have fire marshall and Dan inspect work
- Soundproofing materials: Bregman has provided specifications to Fire Marshall and is awaiting his decision on whether the material conforms to code
- Fire detection system: it is not tied into master building system.
 - Board questioned whether lack of connection meets fire code and whether association will require the unit to be connected. Per Dan Witkowski, the fire marshall stated that if there was a building permit issued in 2003, then code at that time would have required connection of the fire detection system to the building system.
 - Marty Bregman represented that no building permit has ever been issued for construction in the unit.

- Marty Bregman represented that he would be willing to allow the unit to be connected to the master system at no cost to him if the unit is in code compliance.

Motion by Bruce Crown, second by Bill Groner, to accept that failure to allow access January 19, 2012, has been resolved as a practical matter and no fines will issue. *Motion passed by unanimous vote.*

Discussion of allocation of expenses between commercial and residential units.

Dan Witkowski reported that to terminate use of domestic hot water to Elevation and US Bank, the most efficient method would to cap off hot water supply at rough-in in the unit.

Peter McGinty represented that Elevation would be willing to disconnect from the building natural gas, and if needed, separately meter the natural gas.

Peter McGinty will continue to investigate the issues and get back to the Board to with his findings and to request a continuance of the discussion.

Meeting adjourned at 11:23 a.m. MT.

THE FOREGOING MINUTES WERE APPROVED BY THE BOARD OF DIRECTORS AT ITS MEETING HELD ON September 25, 2012.

Signed: /s/ Diane Wolfson