

**THE TIMBERS OWNERS ASSOCIATION, INC.**  
**BOARD OF DIRECTORS MEETING**  
**JANUARY 29, 2019**  
**318 ELK AVENUE, SUITE 24**

Those Present:

Ann Mallow  
Erin Stock  
Evan Sandstrom  
Kat Hasebroek  
Rob Harper, Toad Property Management, Inc.  
Josh McKenzie, KW Construction  
Multiple unit owners (by phone and at the office)

Rob called the meeting to order at 5:30 pm. and confirmed a quorum with all Board members participating.

Josh McKenzie of KW Construction said construction had been commenced the second week in December and fire suppression and fire alarms were operational. Drywall was completed and painting was underway as well as work on flooring and tiling. Josh said the flooring was expected to take three weeks and at the present time there was not a firm delivery date for the cabinets and that delivery delay on the cabinets would push back final completion. Josh explained an electrician had tested the entire building for possible water damage to wiring and just one unit had a small issue which was easily resolved.

Josh said every attempt was being made to get owners back into their units. Josh explained the Fire Department would only allow residents to return when a complete floor was finished and ready for occupancy and not as each unit was completed. Josh confirmed the current focus was to finish the second floor units as those units had less damage to cabinets but as two units on the second floor required cabinets the opening of the second floor units would be delayed. Josh explained a Certificate of Occupancy would only be issued by the Building Department when every hallway was restored. Josh said the carpet tiles in the hallways would be the last task on each floor to avoid damage to the new floor tiles during the installation process and the Fire Department would not allow residents to return until the flooring was completely finished due to life safety issues such as uneven surfaces and construction equipment.

Josh explained a Temporary Certificate of Occupancy had been issued for the third floor which had not received damage but the Fire Department had required the construction of some temporary walls so that any unfinished parts of the building could be completely sealed off. Josh said hours of operation were generally 8 am – 4 pm and if owners required access to a specific area, such as the ski lockers, they should contact him or the crew on site or contact Toad and somebody would escort owners to the sealed areas.

Josh apologized for the electrician entering units on the third floor without residents being given prior notice of the inspection and Josh stressed KW were pushing the project along as quickly as possible. Josh left the meeting.

Kat said the legal team from Diamond McCarthy continued to work with the Seneca legal team to come up with resolution on the outstanding \$289,000 fire watch expense which Seneca was refusing to cover in full and both sides were willing to continue with negotiations in an attempt to reach a resolution.

Rob said KW Construction had been paid approximately \$670,000 of the contracted amount of \$960,000 and the final figure for completion of the building was unknown at this time. Rob explained negotiation would continue with the insurance company regarding additional costs such as valves, testing of the sprinkler system, fire watch, engineering, legal, electrical bills, etc. Rob said it had taken Seneca six months to make the first payment on the claim and now approximately \$970,000 had been received from Seneca and approximately \$700,000 of that had been paid out. Rob explained the \$100,000 paid by Seneca for the fire watch had been paid to KW Construction but KW had not yet been paid for the balance of the fire watch.

Rob said if necessary the legal team from Diamond McCarthy would be helping the Association negotiate insurance coverage prior to the Seneca policy expiring in May. Evan said the work performed on the fire sprinkler system and the engineer's report would help in obtaining quotes from other insurance companies.

The meeting adjourned at 6:20 pm.

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Prepared by Rob Harper,  
Toad Property Management, Inc., Manager