



Board Meeting Minutes
July 10, 2020
4012 Crocker's Lake Blvd.,
Sarasota, Fl. 34238
10 am

Determination of Quorum: Present in person were: Secretary Jackie Vizzi, Director Joseph Gianino. Present via telephone were President Dave Carter, Vice-president/ Treasurer Karen Domaratzki and Director Joe Joseph. Glenn Aitelli, Association Manager was also present.

Call to order: President Dave Carter called the meeting to order at 10 am.

Proof of Notice: President Dave Carter acknowledged that the notice was posted at the clubhouse and website according to Florida Statutes.

Approval of Minutes, June 23, 2020: Jackie Vizzi made a motion (**Motion #1**) to approve the Board Meeting Minutes from June 23, 2020. This motion was seconded by Joseph Gianino and the motion was approved unanimously.

Officer Reports:

President Dave Carter gave an update on the Building Remediation project. RL James continues to make progress on the work as planned. Two buildings are done, one is almost done and the fourth will be started soon.

On the Building Collapse Insurance Claim, Dave reported that a replacement for the original arbitrator has been found. A third "neutral" arbitrator needs to be found and once the full arbitration team is reassembled, they will reschedule the arbitration hearings New York City in possibly 2021. The Association is in progress on filing an insurance claim with Lloyds of London for roof damage caused by Hurricane Irma in 2017. The Association will be signing a contingency retainer with the Merlin Group in Tampa, Florida, to represent the claim. The roofing company, SFR Services, will be supporting Merlin Law Group with technical services regarding the claim. The process is just starting so it will be several months to hear from the Insurance Company.

Treasurer Karen Domaratzki gave a report on the May 2020 Financials. Expenses for the month were underbudget by \$27,000. Year to year expenses were \$45,400 underbudget. This does not include the June insurance renewal with increased premiums. Looking at the balance sheet, accounts receivable from owners increased by \$8000 to \$197,000. The reserves are over two million. The rebuilding fund in May is at \$112,300 with \$61,000 earmarked as construction retainage. This means that there is only \$51,000 cash available though we have not used the money borrowed from reserves. Karen moved that the May financial reports be ratified as presented (**Motion #2**). Joseph Gianino seconded the motion and it passed unanimously.

Manager's Report: Glenn Aitelli gave an update of the work and activity in Vintage Grand. There were 3 purchases and 19 lease applications. Missing strobes that were under the stucco were pulled out after a fire inspection. Westcoast spruced out the fountain area with new flowers. The water meters in Buildings 1,2 and 3 have been checked and the staff will be checking all the buildings. There was a fire in Building #7 and the owners are responsible for damages. There was an upstairs water leak in Building 8. Owners are responsible for damage in their unit. Our documents do not require owner's insurance. There was much discussion on repairs and owner's responsibility as well as changing our documents to require owner's insurance.

Rules and Regulations: Balconies and Lanais: Dave Carter made a motion to approve the highlighted changes in Section C of the 7/5/2020 draft Vintage Grand Rules and Regulations document (**Motion #3**). Joe Joseph seconded and the motion passed unanimously.

Rules and Regulations: Use of Common Areas and Association Property, Use of Amenities: Dave Carter made a motion (**Motion #4**) that the Board tentatively approve Sections A and B of the 7/5/2020 draft Vintage Grand Rules and Regulations document after incorporating any changes recommended during today's meeting, and that when we send those two sections to owners asking for their comments and suggested changes to be provided by August 5, 2020. Karen Domaratzki seconded the motion and it passed unanimously after discussion on the proposed changes.

Owner Poll regarding Potential Construction Loan and Potential Document Amendments: Dave Carter made a motion (**Motion #5**) to finalize the document titled "7.5.2020 Draft-Potential 2021 Document Amendments" based on the discussions at today's meeting and sent to owners when the owner polling process is announced. Karen Domaratzki seconded the motion. There was discussion on the possible changes to the document particularly on #1 and #2. It was clarified that Board approval today did not constitute formal Board approval for any specific amendments that might be drafted in response to a favorable owner polling result. Motion passed unanimously.

Legal proceedings regarding non-compliant rental of VG units: Glenn Aitelli reported on the court proceedings which took place on July 9, 2020, resulting in the issuance of an "Order to Enforce final Judgment and Mediated Settlement Agreement" regarding the Association Lawsuit against a consortium of owners who have been renting units on a short term basis in violation of Section 17.8 of our Declaration. Dave Carter made a motion (**Motion#6**) that the negotiated settlement agreement that was approved by him on July 8,2020 and entered as an order to Enforce Final Judgment in the Circuit Court of the 12th Judicial District in and for Sarasota County on July 9, 2020, be unanimously endorsed by the Board. Joe Joseph seconded the motion and it passed unanimously.

Dave Carter made an additional motion (**Motion #7**) that all previously issued fines for non-compliant rental of units owned by the violating consortium be restored to unit accounts if there is any indication of further violations. Joe Joseph seconded the motion. After discussion, it was agreed that no motion would be required for our Treasurer to do so. Dave withdrew the motion and Joe Joseph agreed to that action.

Fines: Dave Carter made a motion (**Motion #8**) that Violations List #20 which includes a total of \$1,465 in owner fines for trash and balcony/lanai rule violations be approved and forwarded to the Fines Hearing Committee. Joe Joseph seconded and the motion was passed unanimously.

Legal Defense “Gap” Insurance Policy: Dave Carter made a motion (**Motion #9**) that the Association purchase legal gap insurance coverage as described in a quote obtained by our insurance agent, pending receipt of written verification that the policy would cover legal expenses related to any incidents that might have occurred before the policy was put into the effect. This motion was seconded by Karen Domaratzki. During discussion it was noted that the quoted annual premium for the policy was \$6,286.80, that it would cover unlimited legal expenses through trial with no deductible and that the coverage would be bound by Coastal Insurance Underwriters, not Lloyds of London. The motion passed unanimously.

Signal 88 Billing Error: Because an error in the billing by Signal 88 on the virtual monitoring, the company sent a bill for \$7,880.23. After much discussion, Karen Domaratzki made a motion (**Motion #10**) to pay Signal 88 for the 2020 underbilling which is \$3,152 of the \$7,880.23 invoice that they submitted for camera surveillance services that they furnished but did not invoice the Association over the past 16 months. The Association books are closed for 2019 and have been reported to members, and the retroactive period requested is excessive. Joseph Gianino seconded this motion and it passed unanimously.

2021 Budget Preparation Activities and Schedule: Karen Domaratzki will have the June financials, with the help of PCM, ready for the next Board meeting. She will also write a list of possible items and increases for next year budget and present a list to compare at the August meeting. The 2021 budget will be presented to the Board on September or October.

Board Teamwork and Harmony: Dave Carter reported that, due to several recent incidents, he asked Director Joseph Gianino to resign from the Board on June 30th. One of the incidents happened when Mr. Gianino went behind Mr. Carter’s back and communicated with an individual in a way that undermined Mr. Carter’s authority as Association President. Board members were informed of the situation.

Current Florida Statutes do not give the Board the authority to remove a Board member unless he/she has been convicted of a felony crime or there is evidence of a conflict of interest between the individual’s Board activities and his/her personal or family financial interests. Neither of those conditions are in play.

Mr. Gianino responded in a July 2 e-mail copied to all Board members, saying that he would not resign because that would leave decisions in the hands of people who he does not believe are qualified to run our community (Dave Carter in particular).

Dave Carter made a motion (**Motion # 11**) that his comments on this matter be recorded in the Minutes of today’s meeting. Joe Joseph seconded the motion. Board members expressed their views after the motion was presented and it passed with three votes in favor (Dave Carter, Karen Domaratzki and Joe Joseph) and two against (Joseph Gianino and Jackie Vizzi).

Adjournment: Karen Domaratzki made the motion (**Motion #12**) to adjourn the meeting. Dave Carter seconded and the motion was approved unanimously. The meeting ended at 11:47 am.

Minutes prepared by Jackie Vizzi.

*passed on
July 23, 2020
Jackie Vizzi
(Secretary)*