



Board Meeting Minutes
August 17, 2021
4012 Crocker's Lake
Blvd. Sarasota, Fl. 34238
10am

Determination of Quorum: Present in person was: Director Joseph Gianino. Present via telephone were President Dave Carter, Vice-President Charlie Benedict, Treasurer Don Sheehy and Secretary Joe Joseph. Glenn Aitelli, Association Manager, was also present in person.

Call to Order: President Dave Carter called the meeting to order at 10:00 a.m.

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

Approval of Minutes: July 13, 2021: Dave Carter made a motion (**Motion #1**) to approve the Board Meeting Minutes from July 13, 2021. This motion was seconded by Joseph Gianino and was approved unanimously.

President's Report:

- Dave Carter reported on the progress of the 2021 work plan for the building remediation project. Building 1 is completely done. Building 2 is 99% completed with just screen enclosures and welding of stairs to be completed. Building 3: wood repairs and installation of plywood sheathing and Tyvek building wrap is completed on most of the building. Additional work is waiting for window deliveries that are now scheduled for 9/3. Demolition has been completed on half of Building 6 and wood repairs have been completed on the north gabled end.
- Two legal claims are in progress:
 - o **Hurricane Irma Roof Damage Insurance Claim** — We will be taking our case to an arbitration hearing in New York. Our attorney has identified the arbitrator that will be appointed by association. We are waiting for insurance company to appoint their arbitrator. Those two arbitrators will then select a third neutral arbitrator to serve on the arbitration panel. Once the panel has been assembled they will set the date for the for the hearing, possibly in the first quarter of 2022.
 - o **Lawsuit Against Insurance Agencies for making error in preparing 2016 policy application- A**

Court hearing took place on July 8th to address the insurance agencies' motions to dismiss the case. The judge denied their motion but the association was required to file a revised complaint that clarified the statements made by the insurance carrier when they initially denied our building collapse claim. We have filed our revised complaint and the insurance agencies will have opportunity to respond and ask the court to reconsider their motion to dismiss. Our lawyer thinks it is very unlikely that the insurance carriers will be successful in getting the case dismissed.

Treasurer's Report:

Don Sheehy reported on the June financial reports:

- Operating expenses through the end of June were under budget by \$8,334 and operating revenues have exceeded budget by \$19,813 year to date. During the month of June total operating expenses were under budget mainly due to building maintenance being under budget by \$1,708 and roof repairs coming in \$3,750 under budget.
- The Association's Capital Reserves were \$2,312,197 as of June 30 and the Contingency Rebuilding Fund had \$955,354 on hand to continue to fund the project.
- Balance sheet at the end of June shows Accounts Receivable from owners of approximately \$166,665.

Dave Carter made a motion (**Motion #2**) to ratify the financial statements as presented with Treasurers notes to be attached to the minutes of today's meeting. Don Sheehy seconded, and the motion passed unanimously.

Manager's Report:

Glenn Aitelli announced that there were 7 leases and 3 sales during the month of May.

Glenn also updated the Board on the status of the water meter replacement program: To date a total of 143 water meters have been replaced, 111 paid for by the Association and 32 to be paid for by the unit owner. Most of unit owners who were billed for either meter replacements or for water usage during the time when NES could not obtain readings from their meters have paid their bills. Currently there are 3 unpaid bills outstanding for meter replacements and 9 for back water usage.

The following property maintenance activities were completed over the past month:

- Water fountain installed at Pool A
- Repaired irrigation equipment enclosure
- Replaced photocells in building 9 breezeway
- Added fencing and gates to golf cart enclosure
- Large fountain was caulked and painted
- One tennis court net was replaced
- Rewired golf cart chargers so that each has its own circuit and breaker
- The trash compactor doors that were damaged in June were repaired

Old Business:

1. Proposed 2022 Building Remediation Work Plan- Dave Carter reported that the order of buildings in the 2022 work plan would be buildings 7, 8, 13 and 18. Since our July board meeting R.L. James has submitted a revised change order for that work which reduced the cost by approximately \$112,000. That reduction included a \$39,000 credit for three balconies that were completed during an earlier phase. Dave discussed the pros and cons of accepting the revised change order versus rebidding the project to see if we could lower pricing from a different contractor. Delta Engineering has advised that their engineering charges would likely increase \$50,000 to \$75,000 in 2022 if we were to transition to a new contractor. After discussion, Dave Carter made the motion (**Motion #3**) that the association president be authorized to approve R. L. James' revised change order for the 2022 work plan. Joe Joseph seconded the motion and it passed unanimously.

New Business-

1. Discuss Preparation of 2022 Budget- Priorities and Constraints- Don Sheehy started a preliminary discussion about items that might be included in the 2022 budget. He mentioned items that were sent to him from board members and spoke about categorizing them as either things that we "need" or things that we would "like". Items discussed were Bicycle Storage, Pool Gate Modification, Electric Card Entry for pools and tennis court, Reserves Study and Block Enclosure for Recycling Area. Discussion was also had about our current financial situation and what would be the best course of action at his point in time. This topic will be further discussed at our September board meeting.

2. New Governing Document Violation to Refer to the Fines Hearing Committee (Violations List #33):

- **Water Heater Violations:** The board was furnished a list identifying 7 units with water heaters that are more than ten years old and whose owners have not responded after receiving two written notices to replace their water heater. They will be fined \$100 per month until they show proof that they have replaced their water heaters. Dave Carter made a motion (**Motion #4**) that these 7 units be included on Violations List #33 which will be sent to the Fine Hearing Committee. Charlie Benedict seconded the motion and it passed unanimously.
- **Other Violations:** The board was furnished a list and set of pictures identifying 28 violations of Association document provisions pertaining to trash and recycling including trash left in breezeways. The board agreed to approve all 28 of the violations. Dave Carter made a motion (**Motion #5**) to refer those violations to the Fine Hearing Committee. Joseph Gianino seconded the motion and it passed unanimously.

Meeting Adjournment- Dave Carter made the motion (**Motion #6**) to adjourn the meeting. Joseph Gianino seconded, and it was approved unanimously. The meeting ended at 11:12 am

Meeting Minutes prepared by Glenn Aitelli

Secretary acknowledged minutes
were approved at 9/28/21
board meeting.

