

Bel Mare Condominium Association, Inc.  
Board of Directors Meeting Minutes  
October 18th, 2017  
FINAL

A meeting of the Board of Directors of Bel Mare Condominium Association, Inc. was held on Wednesday, October 18th, 2017 in the 2nd floor clubroom located at 130 Riviera Dunes Way. Beverly Reason, John Ollsen, Eric Krall and Bill Horton present in person and Elizabeth Law by speaker phone constituting a quorum of the board. Martica Fitzgerald and Lisa Pezone represented Condominium Associates (CA) and Tammy Goldman On-site Asst. Association Manager for Bel Mare Condominium Association.

**Call to Order**

Mrs. Reason called the meeting to order immediately following the Special Membership Meeting.

**Proof of Notice**

Mrs. Goldman certified that proper notice was given.

**Dispense of the Reading & Disposal of the Unapproved Past Meeting Minutes**

Mr. Krall made a *motion* to dispense in the reading & to dispose of the unapproved minutes from August 2<sup>nd</sup>, 2017. Mr. Ollsen seconded the motion. *The motion carried unanimously*

**Treasurers Report**

Mrs. Reason reported on behalf of Mrs. Law on the key elements of the First 9 Months of 2017 Financials.

- **Revenues** are \$6,340.20 favorable to Budget through September 2017. Operating & Reserve interest are the major contributors to this surplus.
- **Expenses** were favorable to the budget by \$44,904. Some lines had significant overages including Water & Sewer (\$20,519) and Federal, State & Local Taxes (\$8,183) and Pool & Spa Repairs (\$6,040). Fortunately, the Association had surpluses in other lines, Electricity \$17,365, Building & Exterior \$25,127 and Insurance \$18,004 to more than offset the deficits.
- **2017 YTD Net Balance (Revenue vs Expenditures)** for Operations reflects a favorable amount \$51,245.

Note: The Associations goal is to maintain 2017 favorable to budget.

- **Collections** as of September 30<sup>th</sup>, the Association had \$277 in overdue accounts from current owners. This was the result of efforts by Management to collect all overdue assessments and has contributed \$12,428 from Bad Debt Expense since provisions for Bad Debt cannot be more than Accounts Receivable. Monthly payments from prior Owner of 1-505 have been completed and the Board will consider writing off the balance of that prior Owner's account in December.
- **Balance Sheet**
  - **Total Cash** on hand at the end of September was \$646,833. This represents \$125,237 in Operating Cash and \$521,596 in Construction Cash.
  - **Reserve Funds** were \$1,037,406 end of June.

### Construction/Mediation Update

Mr. Horton reported that the Mediation for the construction litigation is scheduled for October 25<sup>th</sup> & 26<sup>th</sup>, 2018. The mediator is John S. Freud, Esquire of Miami and he is recognized as an effective mediator with experience in cases like Bel Mare's. Mr. Horton informed the Board that the lawsuit against Florida Glass has been dropped. This was due to the fact that Florida Glass declared Chapter 7 and the Associations failure to drop would have "Stayed" all actions.

### Landscaping & Communications Committee Reports

Mr. Krall reported that he, Bob Boos and Sabastian met with the owner of Landcare to discuss ongoing communication and landscaping issues. Communication has been reestablished between Landcare and Bel Mare.

Mr. Krall reported that the Association's management company, Condominium Associates had requested quotes for landscaping services and that three were returned for consideration. Unfortunately the quotes received were not within the Bel Mare budget guidelines. Larry Shaw, Association Manager, and Eric Krall will be researching other options for Bel Mare.

Mr. Krall thanked the Communications Committee for the wonderful job that they have done and are doing. A personal thank you and well wishes for future endeavors were given to Mr. Becks. Mr. Becks will be stepping down as the Chairperson to the Communication Committee and will be moving to Orlando.

### Management Report

Martica Fitzgerald, Representative from the management company reported on behalf of Larry Shaw, Association's Manager. Martica reported that current projects resulting from hurricane "Irma" include the repair/replacement of Tower 2's rooftop hood vents, Tower 2's parking garage light fixture repair, Tower 2's rooftop southwest "doghouse" door replacement, and Tower 2's perimeter fence repair. The sealing of the parking lots is more than half way completed and is looking great. The annual fire alarm and fire sprinkler inspections occurred on October 11<sup>th</sup> and 12<sup>th</sup>. Problems discovered during that inspection are now being addressed.

### New Business

- **Call for Motion to Adopt 2017 Budget:** Mr. Horton made a *motion* to adopt the 2018 Budget as approved by the Membership with 52 % funding of the Reserves. Mr. Krall seconded the motion. *The motion carried unanimously.*
- **Consider Activities Committee Proposed Events Calendar for 2018:** The Activities Committee submitted their schedule for 2018's Happy Hours and Bunko. The Committee will also be sponsoring the New Year's Day Pie Party, the Super Bowl Party and the Re-gifting Party, contingent upon the ability to have volunteers to organize and support each event.
  - **Presentations by Mt. Carmel Community Resource Center for Food Bank and Chief of Police Scott Tyler for Annual Toy Drive:** Representatives from the Mt. Carmel Food Bank, the Boys and Girls Club and the Palmetto Chief of Police were present to highlight the services provided by their charities and to promote their annual food and toy drives.
- **Consider CA Late Fee Charges:** Mr. Ollsen made a *motion* to accept Mrs. Reason's recommendation that any charges that are accessed by the Management Company for reminder statements & first notices be charged to the owners and that the Association is not responsible for such charges. Mr. Krall seconded. *The motion carried unanimously.*
- **Estoppel Resolution per New State Laws:** Mr. Ollsen made a *motion* to approve the Estoppel Resolution per New State Laws. Mrs. Law seconded. *The motion carried unanimously.*
- **Ratify Replacement of Bldg. 140 Small Guest Suite HVAC System:** Mr. Ollsen made a *motion* to approve the cost of the replacement of the building 140 small guest suite HVAC system. Mr. Horton seconded. *The motion carried unanimously.*

- **Consider Charging the Cost of the HVAC System Replacement at Bldg. 140 Small Guest Suite to the Equipment Reserves:** Mr. Ollsen made a *motion* to charge the cost (\$3,535.00) of the HVAC system replacement at building 140 small guest suite to the Equipment Reserves. Mr. Krall seconded. *The motion carried unanimously.*
- **Consider Donation of Pony Tail Palm Tree:** Mr. Horton made a *motion* to accept the donation of a pony tail palm tree from Mr. & Mrs. Freeman. Mr. Krall seconded. *The motion carried unanimously.*
- **Discuss Options & Cost Estimates of Exterior Palm Tree Lights for Christmas:** Mr. Krall made a *motion* to repair the lights on the four palm trees in front of the towers and the three palm trees on the Amenity level including GFI's for an amount not to exceed \$3K. Mr. Ollsen seconded. *The motion carried with 4 Board members approving and Mrs. Law Against.*

#### Adjournment

With no more business to come before the board Mr. Horton made the *motion* to adjourn the meeting at 6:55 PM and was seconded by Mr. Krall. *The motion carried unanimously.*

Respectfully Submitted,  
Tammy Goldman, Assistant Association Manager  
On Behalf of Bel Mare Condominium Association, Inc.

**Current Collection Policy Set up**

Name of Association:	Bel Mare
Late Date and Late Fee as per Collection Policy and Association DCCR	\$25/11TH LF 1ST MO OF QTR ONLY & ONLY ON BAL OF \$51 OR GREATER. PRELIENS ARE PROCESSED BY Atty Anne Hathorn
Collection policy to be implemented, if different from the above	<Manager to complete>
Late Interest	Interest 1.5% per mth
Late letter fee amount as per Exhibit A	Example: \$10 for Reminders \$25 for 1 <sup>st</sup> Notices  <Manager to complete>
Late Letter charges passed through homeowner?  Yes/No - Please circle what is applicable	YES <u>NO</u>
Default Letter Fee amount (NOI=Notice of Intent)	Example: \$75.00

Association Atty

<Manager to complete>

*Beverly J. Reasm. 12/6/17*

**ASSOCIATION COLLECTION CHECKLIST**

**ASSOCIATION INFORMATION:**

Association: BEL MARE

Property Code: 228 Association Manager: LARRY SHAW

**ASSESSMENT & LATE FEE INFORMATION:**

Assessments: Monthly  Quarterly  Semi-Annual  Annual

Due Date: 1<sup>st</sup> of The Month Date Late fee will be applied: 11<sup>th</sup> of The Month

Late Fee: \$25<sup>00</sup> or 5% of Each Minimum balance due for late fee application: \$ 51.00

Installment Per Collection Policy Item #1 (Attached)  
Interest amount to be charged by CA on the last day of each month on outstanding balances. 1.5 %

Minimum amount of the balance due for monetary penalties: \$ 51.00

\*Late fee waivers are to be provided signed by a board member using approved waiver form or the approved BOD meeting minutes.

**DELINQUENT NOTICE INFORMATION:**

Minimum Balance Amount for Statement to be sent to the Owner: \$ 10.00

Monthly date that the initial reminder statement will be mailed: 15<sup>th</sup> of Each Month

Will the cost of the Reminder statement be added to the unit owner ledger? Yes  No

Will the cost of the 1<sup>st</sup> notice be added to the unit owner ledger? Yes  No

Board Approval Required for Notice of Intent to Lien (Pre-lien) Notice: Yes  No

Will the Associations attorney prepare the Notice of Intent to Lien? Yes  No

\*\*\*If NO, I approve management to automatically send a Pre- Lien Notice when applicable \_\_\_\_\_  
Initials

Board Approval Required for Claim of Lien (account to attorney): Yes  No

\*\*\*Board Approval shall be required for the Association to file a Foreclosure lawsuit. \_\_\_\_\_  
Initials

\*\* Processing fees for preparation of the Notice of Intent to Lien and Attorney File Transfer will be charged back to the unit owner ledger.

**ATTORNEY INFORMATION:**

Association Collection Attorney: ANNE HATHORN Esq ANNE HATHORN LEGAL SVCS, LLC  
150 2nd AVENUE N, STE 1270 ST. PETERSBURG, FL 38701  
Contact Information: (727) 895-5060 anne@annehathorn.com

Attorney reviewed the late fee policy? Yes X No \_\_\_\_\_

**COLLECTION POLICY INFORMATION:**

Collection Policy/Resolution currently in use: Yes X No \_\_\_\_\_

OR Condominium Associates Collection Policy: Yes \_\_\_\_\_ No \_\_\_\_\_

Received by CA: Date \_\_\_\_\_

Applicable special circumstances or instructions for processing late fees, interest fees or collection letters:

Item #1 See Attached Document For "Late Fee Collection Policy."

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board Approval: Beverly Renson, Pres Date 12/6/17  
Signature: \_\_\_\_\_ Title \_\_\_\_\_

## Late Fee and Collection Policy Summary

### Bel Mare Condominium Association, Inc.

1. All assessments and installments of such assessments are due and payable on or before the first of the month. If payment in full is not received on or before the tenth (10<sup>th</sup>) of the month a late fee amount equal to the lesser of \$25.00 or five percent (5%) of each installment of the assessment will be charged to the owner's account/ledger. The late fee charge will be \$25.00 for each delinquent installment of the assessment for each owner as that is the lesser of \$25.00 or 5% based on the current assessment amount. The late fee shall be in addition to interest at the maximum rate of interest allowed by law from the date when due until per Article VIII section 8.4 and 8.5 of the Declaration (see #4).
2. After any necessary late fees have been assessed to an owner's account/ledger a courtesy Reminder Notice will be sent to all delinquent owners. The Reminder Notice will indicate the amount due for unpaid maintenance fees and will also specify the additional amount that will be charged to the unit owner for collection costs if payment is not received within thirty (30) days of the date of the Reminder Notice.
3. If payment is not received within approximately thirty (30) days of the date of the Reminder Notice, a thirty (30) day Pre-lien Notice (Intent to Lien Notice) will be sent by certified and regular mail to the unit address and to an alternative address if the owner does not reside at the unit address. The Attorneys fee for the preparation and delivery of the thirty (30) day Pre-lien Notice will be at the Association's Attorneys current fee. This collection cost will reimbursed to the Association by the unit owner.
4. If payment is not received by the expiration of the thirty (30) day Pre-lien Notice period, CA will provide all relevant documentation to the Association's Attorney for lien filing. In addition, the Association's Attorney will calculate all interest and any additions fees and/or charges and will include these amounts in the Claim of Lien as allowed by law. From that point forward, the matter will be handled exclusively by the Association's Attorney.  
The Association's Attorney is:  
Anne Hathorn, Esq.  
Anne Hathorn Legal Services, LLC  
150 2<sup>nd</sup> Ave. N., Suite 1270  
St. Petersburg, FL 33701
5. Any Collection action in addition to the claim of lien, such as association foreclosure or judgment, will need to be approved by the Board of Directors of Bel Mare COA, Inc.

Policy approved by the Board on 9/15/2011

Policy Revised & Board approved on 8/03/2016

**RESOLUTION OF THE BOARD OF DIRECTORS OF**  
**BEL MARE CONDOMINIUM ASSOCIATION, INC.**  
**REGARDING ESTOPPEL CERTIFICATES AND DISCLOSURES**

THIS RESOLUTION is made by the Board of Directors of Bel Mare Condominium Association, Inc., a Florida not-for-profit corporation (the "Association") on this 18<sup>th</sup> day of October, 2017.

WHEREAS, the Association is a condominium association governed by Chapter 718, *Florida Statutes*;

WHEREAS, Section 718.116, *Florida Statutes*, governs the process for condominium associations to follow when issuing estoppel certificates;

WHEREAS, Section 718.116, *Florida Statutes*, provides requirements related to the timing and content of estoppel certificates and a uniform schedule of fees that may be charged by condominium associations and their authorized agents for the timely preparation and delivery of estoppel certificates on and after July 1, 2017;

WHEREAS, Section 718.116, *Florida Statutes*, provides that the authority to charge a fee for the timely preparation and delivery of the estoppel certificate must be established by a written resolution adopted by the Board of Directors or provided by a written management, bookkeeping, or maintenance contract; and

WHEREAS, the Association's Board of Directors intends to adopt policies and procedures consistent with Section 718.116, *Florida Statutes*, and to establish fees (the "Estoppel Fees") that the Association, including its management company and attorneys, may charge when preparing estoppel certificates.

NOW, THEREFORE, BE IT RESOLVED THAT the following policies and procedures shall be implemented as of the date of this Resolution:

1. The recitals set forth above are incorporated herein by reference.
2. Estoppel certificates shall be completed on behalf of the Association by the Association's management company, Condominium Associates or legal counsel.
3. Estoppel Fees authorized to be charged on behalf of the Association are the maximum amounts allowed by the statute, which are \$250.00 for a unit that is not delinquent in payment of assessments or other monetary obligations, an additional \$150.00 if the unit is delinquent, and an additional \$100.00 for an estoppel certificate to be expedited and delivered to the requesting party within three (3) business days from the Association's receipt of the request. Regular requests shall be processed within ten (10) business days.
4. Any person or entity that prepares an estoppel certificate for the Association may charge less than the maximum amounts provided for herein. Attorney's fees, costs of



collection, and litigation costs incurred by the Association in connection with an account that is delinquent are separate and apart from Estoppel Fees; accordingly, they are in addition to any Estoppel Fees charged by the Association's management company and/or law firm.

5. If estoppel certificates for more than one unit owned by the same owner are simultaneously requested, the Estoppel Fee authorized to be charged are the maximum amounts allowed by the statute: \$750 for 25 or fewer units; \$1,000 for 26-50 units; \$1,500 for 51-100 units; and \$2,500 for more than 100 units.

6. All other requirements provided for in Section 718.116, *Florida Statutes (2017)*, relating to the necessary content and timing of estoppel certificates not specifically addressed above in this Resolution shall be expressly incorporated herein by reference, and they shall be followed by the Association, its management company and attorneys hereafter.

7. Effective July 1, 2017, the Florida Condominium Act (Chapter 718, Florida Statutes) was amended to address potential conflicts of interest involve condominium association operations. The Association's Board of Directors acknowledges receipt of the attached memorandum, which is from its management company and is marked Exhibit "A" to this Resolution, and discloses the following information: a) the members of the Association's Board of Directors do not own the management company or have an equity interest in the management company; b) the management company or its equity owners may be affiliated with or have a related interest in other businesses and entities listed in Exhibit "A" to this Resolution; c) the management company is not represented by the Association's legal counsel; e) the Association, including its officers, directors, employees and agents, do not possess and shall not use a debit card issued in the name of the Association.

IN WITNESS WHEREOF, the Association's Board of Directors has adopted this Resolution at a duly called Board meeting held on this 18 day of October, 2017.

  
Beverly Reason, Board President

Attest:

  
Eric Krall, Board Secretary

**EXHIBIT A TO  
BOARD OF DIRECTOR RESOLUTION  
FOR DISCLOSURE & ACKNOWLEDGEMENT**

Condominium Associates and its current affiliated, related, or business partner companies providing services in Florida are: Allen-Dell, Banco Popular/Popular Association Bank, Bayview Management Services, Inc., Barry Scarr Insurance Group, Branch Banking & Trust (BB&T Bank), Community Association Maintenance Services (CAMS), Common Interest Energy LLC, Cine Systems, Convergence 53 Corp., Esplanade Equity, LLC, Great Florida Insurance, Geraghty, Dougherty, Edwards & Stockman, P.A., Homewise Docs, Optimal Outsource, Nature Coast Landscape Services, Palm Insurance, PHP Management Services, LLC, Precedent Hospitality & Property Management Services, LLC, South Data, Inc., Swenson Construction, Senearthco, Yardi Software, Inc.

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Board Initials