

Bel Mare Condominium Association, Inc.
Board of Directors Meeting Minutes
April 28, 2021

A meeting of the Board of Directors of Bel Mare Condominium Association, Inc. was held on Wednesday, April 28, 2021 in the 2nd Floor Clubroom located at 130 Riviera Dunes Way. Keith Grady, Valerie Biebuyck, Todd Loescher, and Billy Heller were present in person. Dave Peterson was connected via conference call, constituting a quorum of the Board. Toni Giliberti, LCAM, Onsite Manager; and Peter Fehr, Maintenance Supervisor represented Castle Group.

Before the meeting opened, President Grady welcomed new Owners to Bel Mare who were very complimentary of the property, Management and Maintenance, landscaping and “Love” being here.

Call to Order

Mr. Grady called the meeting to order at 4:00 PM.

Proof of Notice

Toni Giliberti certified that proper notice was given.

Dispense of the Reading and to Dispose of the Unapproved Past Meeting Minutes

Valerie Biebuyck made a *motion* to dispense in the reading and to dispose of the minutes from March 1 and March 18, 2021 Board of Directors Meetings. Mr. Heller seconded. *The motion carried unanimously.*

President’s Report

Since our last two Board meetings of March 1 and March 18, we are able to report that Elevator #1, Building #2 is back in service. Gracious thanks to everyone who worked on that. Our staff was phenomenal in getting all of this done. I appreciate it. Our decision to Contract with Otis Elevator was a success, parts are expected this week for Elevator #1, Building #1. We did update the elevator buttons in Building #2, Elevator #1 to the tamper resistant type within the proceeds of the Claim, thanks to Toni and Team in the negotiations with the Insurance Company. The additional cost savings was anticipated at approximately \$4,000.

We have upgraded the current security cameras as we mentioned in our last meeting and got approval to do so. I am told that the view is crisp and good – don’t do anything wrong, you are on camera!

We are in the process of installing an upgraded Fire Panel which will enable the Fire Department to easily read the Location of the fire, not in code, but in words. Both buildings will now speak to each other and response time for activity will be dramatically decreased.

Toni was able to recover the \$5,000 deductible from the unit owner responsible for the overflowing sink in Building #2. She is still working to recover the deductible for the grease fire damages in Building #2 and hopefully that will have the same result.

The Master Board issue relating to Amendments #2 and #6 has been successfully resolved with the ratification of Amendment #8. Thanks to Deb Sperry and her actions for getting that pushed through quickly.

Four weeks ago we found out that our Insurance Carrier, AMCAP, went defunct. They were downgraded from an "A" rating to a "C" rating and subsequently became insolvent in no time. It just so happened that our Insurance renewal date was April 27, 2021. The AMCAP demise quickly caused a major flood of customers to enter the market throughout the region. It resembled a frenzy and represented a tightening of the market itself. The remaining Underwriters could, and did cherry pick their new customers. Our Association had two claims on its record at the worst possible time. During this time, the Board and Management Team exercised our right to divorce our current Insurance Broker due to lack of confidence and response. Many dominos had to be knocked over in a very, very short period of time but I am pleased to say that we inked a new Insurance Binder at 5:30. I will be the first to let you know that this Condominium Association could not have been better served by our Management Team. They worked tirelessly, hours and hours into the evening, pulled in every favor known to man and contact they had in the area to pull this off. For that I am grateful. Thank you all.

Vice President Biebuyck added to this that the Association collected \$205, 943.20 for the entire claim from a carrier that was on the verge of bankruptcy. So, it would have been hard to get that kind of a payment but given the circumstances surrounding that Carrier it is truly remarkable. Thank you very much. Toni has a stack in her office which is now a box! Thank you again both from Keith Grady and Valerie Biebuyck.

Treasurer's Report

Mr. Heller reported that the Association had an Operating Cash Balance as of February 28, 2021 in the amount of \$249,085.

Restricted Cash Balance February 28, 2021:

Contingency Funds	\$ 365,939
Reserve Cash	<u>\$2,978,464</u>
Total Encumbered Balance	\$3,164,404
Note Payable Balance	\$ 167,847
LOC Balance	\$ 12,561
P & L Variance 2/28/21	\$ 7,404

Annual Insurance Premium was briefly discussed stating that the renewal period for 2021/22 will be an additional \$110,000 to the Insurance Budget line item.

Treasurer's Reports will be attached to these Minutes.

COMMITTEE REPORTS

Todd Loescher, Board Liaison of the Ad Hoc Electric Vehicle Charging Committee presented a report which included an excerpt from the Florida Statute as well as the progress to date, together with options. The Committee will gather additional information which will be presented to the Board. **(a copy of the Committee Report will be attached to these Minutes).**

Eric Brown, Chair of the Landscape Committee, gave a brief report of the April 2nd and April 12 Meeting Minutes (**attached to these Minutes**) Mr. Brown explained the ailing Palm Tree with Ganoderma that was removed from the Amenity level of Building #1 and the thought/recommendation to re-plant. Depending on what is planted, this would require an Owners vote. Mr. Brown also gave an update to the progress of the Security, Policies and Rules Committee. He mentioned that the Committee talked about Rental use and how this could impact Insurance Premiums in the future. Additionally, the Design & Aesthetics Committee has put the beautification of the Lobbies on hold, pending the Painting & Waterproofing project and upcoming Roofing proposals.

Deborah Sperry, Bel Mare's delegate to the Riviera Dunes Master Association (RDMA), gave a brief report about the recent vandalism of the pathway lighting. The Master is looking into a way to enhance the security camera system to include cameras for added safety. An Attendee in the audience asked about the removal of the Palm trees around the walkway. Deborah was unaware of the removal but would research and get back to us. **(RDMA Internal Reports will be attached to these Minutes).**

MAINTENANCE COMMITTEE REPORT of March 24, 2021 **will be attached to these Minutes.**

FINANCE COMMITTEE REPORT OF APRIL 20, 2021 (will be attached to these Minutes)

MAINTENANCE DEPARTMENT REPORT

Peter Fehr gave a brief report on progress of the hinge replacements underway, the A/C units in the common areas have all been serviced, the delaminated glass replacement of approximately 18 panels will be replaced subsequent to a proposal, and spring flower proposals received.

OLD BUSINESS

Discuss and consider approving the Painting & Waterproofing Project as presented by Karins Engineering, together with the Maintenance/Repair and deterioration of the roof wall caps.

President Grady profusely thanked the Maintenance Committee for all of the hard work and hours that went into the recommendations to the Board. The Maintenance Committee's recommended changes were forwarded to Engineer Nick Dunning of Karins Engineering and contractors CPR and Dixie, which were asked to submit revised bids. Additionally, after receiving the recommendations from the Maintenance Committee, Board President Keith Grady and Vice President Valerie Biebuyck met several times with BelMare staff and Engineer Nick Dunning of Karins Engineering. Mr. Dunning was asked to provide references for the contractors under consideration, and Mr. Grady and Ms. Biebuyck contacted several of these via phone and email. After consideration and discussion amongst the Board and Owners in the audience, President Grady explained how important it was for the roof wall caps to be done in tandem with the Painting & Waterproofing Project so that any unforeseen work on the envelope of the building could be repaired while the Contractors were on site. Therefore, it was President Grady's recommendation that the Association would be better served by using Dixie Construction. After much discussion between the Board and Owners in attendance, President Grady asked for a Motion to approve the roof wall caps in both buildings, together with the Painting & waterproofing project with Dixie Construction Billy Heller so moved, seconded by Dave Peterson. Keith Grady, Valerie Biebuyck, Billy Heller and David Peterson voted in favor. Todd Loescher voted against. **Motion carried.**

Discuss and consider lifting the ban on Social gatherings in the remaining Amenity rooms

President Grady asked for a Motion to lift the ban on Social gatherings with CDC guidelines, seconded by Todd Loescher, all in favor, ***Motion carried.*** Subsequent to that, Christine Winsler, Chair of the Social Committee announced that the first Social gathering at BelMare will be Friday, May 7th! Notices will be Posted.

NEW BUSINESS

Discuss and ratify emergency decision made by the Board to have an E3 fire panel installed in Building #2 and Fiber Optics to the pump house and guard shack at a cost not to exceed \$30,000.

President Grady asked for a Motion to approve the E3 Panel above, Todd Loescher made the Motion, seconded by Billy Heller, all in favor. ***Motion carried.***

Discuss and ratify emergency decision made by the Board to Contract with Otis for Building #1, Elevator #1 Motor and Belts at a cost not to exceed \$50,000.

President Grady asked for a Motion to approve Otis for Building #1, Elevator #1, Motion made by Todd Loescher, seconded by Billy Heller, all in favor. ***Motion carried.***

Discuss and ratify emergency decision made by the Board to have an insurance appraisal update prepared by Staebler Appraisal at a cost not to exceed \$3,200.

President Grady asked for a Motion to approve the update. Motion made by Todd Loescher, Seconded by Billy Heller, all in favor. ***Motion carried.*** Update was completed by IP Risk at a cost of \$695.

Discuss and consider approval of the termination of Thyssenkrupp's maintenance contract on all six elevators and pending conflict.

This item will be tabled subsequent to Attorney review.

Discuss and consider approval of the Otis Service & Maintenance Contract on all six elevators in Buildings #1 and #2.

This item will be tabled subsequent to Attorney review.

Adjournment

With no more business to come before the Board, Mr. Loescher made the *motion* to adjourn the meeting at 6:12 PM and was seconded by Mr. Heller. ***The motion carried unanimously.***

Respectfully Submitted,
Toni Giliberti, LCAM, Onsite Property Manager
On Behalf of Bel Mare Condominium Association, Inc.

Bel Mare Condominium Association Board Meeting

Treasurer's Report

April 28, 2021

Operating Cash Balance February 28, 2021: \$249,085

Restricted Cash Balance February 28, 2021:

Contingency Funds \$365,939

Reserve Cash \$2,798,464

Total Encumbered Cash \$3,164,403

Note Payable Balance: \$167,847

LOC Balance: \$12,561 to fund 2020-21 insurance premiums

P & L Variance February 28, 2021: \$7,404

March 10, 2021

AD HOC Electric Vehicle Charging Plan Meeting

Interested residents and Peter Fehr attended a meeting to discuss our options for providing a means to charge electric vehicles at Bel Mare.

Option 1:

Attain permission from the marina to use the charging stations in the gated parking lot. After speaking with the marina manager, this appears to be a no-go.

Option 2:

Have chargers installed in common parking spots.

We discussed assigning two parking spots in the parking in front of the buildings. This was deemed not a great idea as it would reserve two parking spots in an already full lot.

We discussed assigning two parking spots at the fitness parking lot. This was deemed not a good idea as it is not a gated parking lot and there could be liability issues.

Installing chargers in the parking circles out front of the buildings. Peter shot this idea down as it is considered a fire lane and would not be allowed by the Fire Marshall.

Option 3:

Allow for the installation of chargers in residents assigned parking spots in the garage. They would be for that residents use only and the resident would be required pay for the deliver of the circuit and charger installation. The HOA would need to design and install a panel in both building from which the charger circuits could be pulled from.

Jeff Wir sler read from a Florida statute that states HOAs must allow residents to install charging circuits in their own parking spots. This made Options 1&2 moot. Option 3 appears to be the method we must use.

Todd Loescher agreed to contact FPL to see if they have a program to assist with such projects.

Meeting adjourned.

EV Charging Ad Hoc Committee Report

4/28/2021

The committee has held several meetings/conversations, both internally and with outside vendors, to determine the best route forward to provide charging stations at Bel Mare.

We approached this issue with three possibilities:

1. Have charging stations installed in common parking spots in front of buildings,
2. Determine if Riviera Dunes Marina would allow Bel Mare residents to use their chargers, and
3. Provide a means for residents to install a charger in their own deeded parking spot.

FL State Statute 2018, Title XL, Chapter 718, Section 113 in item #8 states the following:

"A declaration of condominium or restrictive covenant may not prohibit or be enforced so as to prohibit any unit owner from installing an electric vehicle charging station within the boundaries of the unit owner's limited common element parking area. The board of administration of a condominium association may not prohibit a unit owner from installing an electric vehicle charging station for an electric vehicle, as defined in s. 320.01, within the boundaries of his or her limited common element parking area."

As this statute forbids the HOA from preventing residents from installing charging stations in their own parking spaces, and we have residents that want charging stations in their own spaces, possibility numbers 1 & 2 become moot.

The question now becomes how much power do we need to provide charging stations for residents that want them? Additionally, does Bel Mare have enough capacity on their electrical service to provide the required power?

Our likely solution will include installing distribution panels off of the Bel Mare service in each building. From that panel residents, using licensed electricians, would be able to pay for charging stations to be run to their space from the panel.

Our next steps include:

1. Determining how many residents would pay to have a charging station installed in the parking spot either now or in the near future (we would like to use the online voting service), and
2. Engage an engineering firm to determine the capacity of our current service and the demand this project would place on the service; the engineering firm would need to work with FPL - FPL has personnel to help with EV charging projects.

We may find that we do not have enough capacity on our current service. If so, we would need to pull in an additional service for EV charging. It is not known if FPL would charge us for the new service installation.

Respectfully submitted,

Todd P. Loescher

Landscape Committee Meeting Minutes

Friday, April 2, 2021 at 3:00 P.M.

Location: Building 1 Social Room - 130 Riviera Dunes Way

Members Present: Eric Brown (Chair)
Patricia Ewer
Giselle Stolpher
Todd Loescher (Board Liaison)
Peter Fehr (Maintenance Director)

Agenda: 1) Selections for Summer Annuals.
2) Replacements for removed palms at Building 1 Amenity planters.

Minutes:

Meeting called to order at 3:05 PM

Peter directed a "walk about" to view the front entrance beds for the summer annuals and replacement of the ginger plants at the Guard Gate with better suited plantings. Several options were suggested. Team members will research those options and decide at the next meeting their selections to put to management for replacements.

Team members discussed replacements for the palms effected by the ganoderma fungus at Building 1 Pool Deck planters. It was decided that Agave plants (one in each planter) would be best suited.

Also discussed adding Podocarpus to the front of Building 2 to diffuse the mechanicals between the Garage entrance and Lobby.

Next Meeting is tentatively set for Friday, April 9, 2021.

Meeting Adjourned: 4:25 PM

Respectfully Submitted,

The Bel Mare Design & Aesthetics Committee

Landscape Committee Meeting Minutes

Monday, April 12, 2021 @ 2:30pm

Building 1 – Social Room

Attendance:

Patricia Ewer

Phil Falso

Todd Loeschler, Board Liaison

Eric Brown, Chair

Peter Ferrer, Maintenance Mgr.

Bill Horton, Resident

Agenda:

- Approve for recommendation to Management, Summer Annual selections for replanting
- Approve for recommendation to Management, replacement plantings for Palms removed from Building Pool deck

Minutes:

Meeting called to order 2:45pm

The committee recommends the following selections for the summer annuals:

Inside the Guard Gate – Red Vinca bordered behind with Dusty Miller

Outside the Guard Gate – Caladium; either "Freida Hemple" or "Buck" (red and green)

Pots flanking the Fountains – Variegated Agave

All beds are to be mulched with brown shredded cypress.

There was also discussion on the replacements for the two palms affected by Ganoderma Butt Rot at Building 1 Pool deck. Ganoderma Butt Rot is a palm tree disease with currently no effective treatment or cure. These two palms were removed to avoid the spreading of diseased spores to other palm trees on the property.

While the committee was in full agreement with the replacement being Agave Century plants (one in each planter), a resident in attendance stated that this should go to an owner vote as this constitutes a material change in appearance.

The committee shall acquire information from the Manatee County Extension on Ganoderma Butt Rot to put before the Board for their judgment on how to proceed with these plant replacements.

Meeting Adjourn 3:15pm

Respectfully Submitted,

Bel Mare Landscape Committee

"Replacement plantings for Palms removed from building one pool deck"

The landscape committee is having a meeting on 4/12/2021 to discuss the above issue. It makes me think someone is considering replacing the palms with some other type of planting.

Florida courts have held that a **material alteration** is one which "palpably or perceptively varies or changes the form, shape, elements or specifications" of the common elements "in such a manner as to appreciably effect or influence it's function, use or appearance."

It's quite obvious that replacing the palms with something else would change the appearance and as such represents a material alteration!

Therefore changing the plantings would require a 75% vote of the membership.

Just a FYI there has been a Florida court ruling upholding the fact that removal of a large tree on the common area represented a material change.

Given the above it would appear the committee has two choices. One is to recommend replacement of the palms with ones of similar size and form or two, recommend some other planting and advise the Board the substitution most likely requires approval by 75% of the owners.

JWH 4/12/2021

Riviera Dunes Master Association

Security Issues

April 24, 2021 – Daytime Vandalism around the BelMare Lake.

4 Ballard Lights around the Lake were vandalized. Approximately \$4,000

Drew Denick filed a police report #21000894 the morning of April 25,2021 with Officer Ambrose badge #1631.

May 23, 2021 at 4pm - A visitor from one of the Laguna Buildings got very drunk at Dockside. So drunk that when he left by car he went the wrong way on RD way and hit the bridge. Then proceeded to turn around and hit and damaged 704's mailbox. After that he hit the bridge again and made it out of RD. Palmetto police, Manatee County Sheriff and the State Troopers chased him to the Skyway Bridge where they were able to stop him and arrest him. The bridge suffered minor concrete damage on the south side and paint damage on the north side.

July 22, 2021 – The Hammocks reported another \$2K Ballard light was vandalized.

Maintenance Committee Minutes

Date: March 24, 2021

Committee Attendees:

Morris Bencini – Chairperson
Bill Horton
Jeff Winsler
John Ollsen
Ron Vitori (absent)
Val Biebuyck – Board Liaison (absent)
Jose (Pepe) Huerta-Mendez (owner)

Other Attendees:

Keith Grady – Board President
Peter Fehr – Maintenance Mgr.
Pepe

The meeting was called to order at 9:01am with a committee quorum in attendance. The meeting was appropriately noticed by the Castle Management Group on Monday, March 22 (48 hours advance notice).

Minutes:

1. An interim study needs to be performed by Karins with a formal recommendation to specifically evaluate, address and correct the leakage in the decorative polystyrene molding (ie. EFIS bands) at the transition floors and other areas (including the molding above the fixed windows) as currently exist. We need a specific analysis (engineering study and recommendation) addressing the standard design requirements and repairs protocol. This scope needs to be specifically identified in the contract.
2. We need to address the membrane issue at the balconies and perform a study of whether the problem is due to membrane failure or just paint adherence to the membrane. We also need to identify what percentage of the balconies are exhibiting the problem to determine whether this can be corrected on an isolated basis or if all the balconies need remediation.
3. The formal recommendation is to use CPR Painting (CPR) as the contractor. However, we need their unit rates used for the unit price work in Section B of the proposal to be more competitive and in line with market pricing. In addition, we want to negotiate their hourly rates to be more in line with the current market per our review of other recent contracts. Suggest they agree to the rates used in the proposal by Complete Property Services (CPS). Finally, we believe a payment and performance needs to be obtained (per our previous discussions) at the revised bond rate cost of 1.5% of the contract value.

4. We need a timeline from Karin's as to the weekly staffing and staging requirements by the contractor in order to procure and assign parking and/or laydown areas during work onsite. These areas will be approved by Castle Management and the Board prior to work beginning.
5. We need to address the security issues with the selected contractor once onsite work begins. We recommend that all onsite contractor personnel wear company designated apparel (ie. Identifiable shirts, etc.) and that a formal check-in process be developed to ensure that no extraneous persons are allowed onsite during work.

Upon discussion of the above points, it was unanimously agreed by the Committee that the following be recommended to the Bel Mare Board of Directors:

Resolved,

- That the Maintenance Committee recommends award of the contract to CPR;
- That Karins Engineering perform a baseline study of the current condition of the membranes at the slab edge on individual unit balconies to determine the extent of work necessary for remediation of membranes and/or paint adherence as necessary;
- That Karins Engineering incorporate a formal protocol for eliminating leakage in the polystyrene molding (ie. EFIS) decorative bands and include the specific protocol into the proposed contract. Such protocol needs to address all aspects of the needed repairs;
- We recommend an additional round of negotiation with the selected contractor to adjust the final contracted hourly rates and the unit price rates. We recommend that they agree to the hourly rate table proposed by CPS in their proposal. In addition, we request a best and final on all proposed unit rates for the "Unit Price Work" in their proposed scope of work.

The meeting was adjourned at 10:00am.

Submitted,

Morris Bencini

Committee Chairperson

Bel Mare Finance Committee Meeting

April 20, 2021

Attendees:

Morris Bencini – Chairperson
Billy Heller – Board Liaison
Kay McAuliffe – Committee member
Jeff Winsler – Committee member
Coby Gaulien – Committee member
Deb Neglio – Committee member

Other Attendee:

None

Meeting was called to order at 3:00pm in the Bldg. 1 Social Room.

Discussion ensued regarding the December 2020 year-end financial statement. It was noted that the final surplus for the year was just under \$22,000 and the Board approved carry-over and inclusion in the 2021 budget.

Ms. McAuliffe addressed the following items in the Jan. and Feb. 2021 financials as follow-up items to discuss with the Castle Group staff accountant:

1. Are the extra \$1,000 payments being made on the note? It appears that castle has not increased the monthly payments on the East Property note in accordance with the Board directive from the January meeting.
2. Interest expense on the note too high based on the \$100K paydown. Need to check with Eric Hinton to determine if Castle has adjusted the amortization schedule based upon the principal paydown.
3. The telephone charge needs to go where budgeted. Castle is currently using two separate accounts for the phone and bulk internet bills. These need to be consolidated to one account where the cost was budgeted.

An update was given by Mr. Bencini regarding the status of the audit and the 2020 tax return filing. The audit is almost complete with no adjustments to the financial statements and we should have a draft of the audited financials in the next week. The tax return was filed on 4/19/21 showing a minor loss for tax purposes and no tax liability due for 2020. It was noted that the CPA agreed with the position that the sale of the portion of the North Property was simply a conversion of an amenity from land to cash (which will be used to enhance other amenities) and should not be considered a taxable gain for 2020.

Further discussion ensued regarding use of the sale proceeds to fence in the East Property and to secure the third tower site (Mr. Sedillo's property) and the entrance to our North Property (ie. gym and tennis court area). Based upon the proposed construction of the apartment complex on the property adjacent to the 7-Eleven on SR 301, it was agreed that Bel Mare's property will need to be secured. It was suggested that this issue be proposed for the next Strategic Planning meeting agenda.

Meeting was adjourned at 5:00pm.

Submitted,

Morris Bencini
Finance Committee Chair