

WEST BAY CONDOMINIUM ASSOCIATION, INC.

BOARD OF DIRECTORS' MEETING MINUTES

Wednesday, June 28, 2023, AT 9:00 A.M.

Location: WebEx connection & Jupiter Management's conference room

**Directors Present:** Diane Gustafson, Bob Gunia, David Morganti, Dick Evans & Fred Muir

**Directors Absent:** None

Representing Jupiter Management, LLC: Stephen Skakandy

With a quorum of the Board present, Diane called the meeting to order at 9:03 AM.

**Approval of Minutes**

Diane Asked if all Board members had time to review the minutes. General discussions developed followed by a motion to approve the minutes as submitted. The motion received a second and unanimous approval.

**Financial Report**

Diane called on Bob to provide the financial report.

The report continued with a review and explanation of the accounts receivable and how the prepaid accounts impact the receivables.

He provided details regarding the insurance liability and the monthly payment plan that will reduce the liability over the term of the policy. The discussion continued with Bob reporting on the insurance cost increases and the monthly amortization of the prepaid insurance increasing to \$38,000 which is twice as much as last year's insurance policy amount.

Bob reviewed the liabilities and equity section of the balance sheet emphasizing the reserve amounts and his analysis of the future estimated reserve cash flows such that the reserve category should never become negative.

Bob's next discussion involved the Profit and Loss report. He started with the income portion of the report followed by details from the report's expense section. A few line items, such as landscaping expenses, building repairs and roof repairs were discussed. With each category being compared to the monthly and year to-date-budget, Bob provided analytical conclusions to each category.

After his report, Bob asked if there were any questions or comments from any Board member or owners present. There being none, a motion was made to accept the financial report as submitted. The motion received a second and unanimous approval.

### *2022 Audit Report*

Bob announced the 2022 year-end financial audit has been received and reviewed. Bob advised that the report did not require any material adjustments and that all members of the community were notified of the report's completion and availability to each member.

### *Discussions of increased Assessment due to greater insurance costs*

Bob opened the discussions of the need to increase the quarterly assessments by \$290 per unit per quarter for the third and fourth quarters of 2023. The required increase results in the quarterly assessments increasing to \$2,290.

After discussions a motion was made to adopt the increase quarterly fee by \$290 to \$2,290 for the third and fourth quarters of 2023. The motion received a second with Diane calling for any discussions or comments. It was noted there are no other options but to fund the increased 2023-2024 insurance.

The motion received unanimous approval.

Bob opened other discussions regarding the Association's insurance renewal schedule and how the May renewal dates make budget estimating difficult. He added there may be options for resetting the renewal dates for the insurance to November or December, which will be beneficial to the budgeting processes.




### *Discussion of future reserve special assessment*

Bob suggested the special assessment be levied in 8 quarterly payments for the calendar years 2024 and 2025, thereby mitigating the financial impact on owners with this staggered payment structure.

He concluded the presentation advising no action is necessary at the current time and the report was for everyone's information.

### **President's Report**

Diane provided the President's report beginning with an update of the POA activities.

-  The POA is working on the Central Gate with new construction underway.
-  The Golf Club is planning renovations of the golf course in 2024.
-  Butterfly Island walkway is being redone and updated to eliminate hazards.

### **Old Business**

#### *Lake Update*

Diane provided the lake report beginning with the announcement that the POA recognizes the lake condition, and they are installing a fountain and bubbler to help mitigate the increasing algae bloom, with the West Bay dock area by the pool being one of the noted areas most in need of attention. She also announced the South Florida Water Management permit has been issued for the lake.

Diane also reported the POA will have bio generators installed in the lake, which will help with the maintenance of the lake.

### *Landscaping*

Diane's report began with the recent issue at 105/205 Schooner Pointe. The problem was a sewer line broke, and to get access to the repair area, the tree roots had to be cut away to provide access. Due to the number of roots removed and the uneven condition of the tree, the arborist's recommendation for the tree was to remove it.

Stephen directed the Board to the Manager's Report where photos of the work were provided and explained the magnitude of the project. After discussions it was agreed the tree should be removed due to its unsafe condition. A motion was made to remove the Mahogany tree at 105/205 that was damaged to facilitate the plumbing repair. The motion received a second and unanimous approval.

The Areca Palms at Island Cove and Schooner Pointe Drive will be removed soon. Revival has the work on their schedule, which may be completed this week.

Discussions regarding the Areca Palms at 117 developed and the inclusion of that portion of the project will be verified.

Diane reported the AC sheds will be serviced by Revival soon as well as the landscaping for the pool area.

There are additional palm trees that require removal. Palms at 101; 166/167 and one other location need to be removed as they have died. A proposal for the removal service is pending.

### *Irrigation*

Diane opened discussions reporting the north irrigation clock needs replacement. The needed maintenance of the suction line and on-ground filter was also noted. After general discussions, it was agreed to obtain the availability of replacement parts prior to making any repair/maintenance attempts to the on-ground filter. Once replacement materials are known to be available, the system will be serviced. In the event the service renders the system inoperable, there will be minimal down time as parts will be readily obtainable.

### *Electrical Service Update*

Stephen reported the contract deposit has been processed and paid. An update will be requested from the contractor.

## **New Business**

### *Insurance Action*

The insurance items were discussed during the Financial Report.

### *Proposed Additions to the Rules and Regulations*

#### *Enforcement Procedures for All the Rules and Regulations of WB*

Dick opened the discussion by asking the proposed rule update to be placed on the WebEx screen. While the file was being launched, Dick provided details of the current matter of an owner feeding

wildlife within the community which is causing issues with rodents, the landscaping and other unfavorable results.

Dick provided details from Florida laws addressing the unlawful feeding of wildlife and the processes provided for complaints by those laws.

The proposed rules were reviewed and available for all on the link to see.

Dick asked about the condominium laws governing fining of owners and the required processes. Stephen provided answers and commentary regarding the sections within FL statute 718 and the required processes and fine limits. Stephen included the fining or grievance committee that is required by 718 in the fining process is to be comprised of at least three owners within the condominium association who are not Board members, family of Board members, or committee members and their families.

After discussions involving the proposed rules, the implementation of the rule and the enforcement processes, a motion was made to approve the additional rule as paragraph 24 with the exclusion of specific identification of bird types. The motion received a second and unanimous approval.

### **Manager's Report**

Diane asked Stephen to provide the manager's report.

The report began with Stephen providing details associated with the unapproved modifications that have taken place at unit 133 Back Bay Drive.

With the assistance of photographs, Stephen provided details of the owner's project and that neither West Bay nor the POA/DCB approved the project. It was further noted that the project extended to common areas, the kitchen bay window structure, where the owner proceeded to disassemble that portion of the building using his own contractor and did not allow time for the normal Association approval process, as he wanted the project done right away so he could leave the unit and head back north.

One of the main issues with the project at 133 is the owner is looking to the Association for reimbursement of expenses associated with his unauthorized work to common property.

After a variety of discussions, Dick offered to talk with the DCB and will personally look at the unit upon his return to West Bay. It was agreed to table the discussions until more information is obtained on the project.

The manager's report continued with photos supporting the presentations of owner requests for landscaping items at 107 and 207 Schooner Pointe Drive.

Unit maintenance at unit 139 Back Bay Drive was reported, noting the water intrusion problem was addressed and the repair has successfully kept the recent heavy rains out of the unit.

Unit 216 that was recently sold had a pre-closing inspection completed where a few items regarding common property were noted. The report showed the repairs that were finished for that unit.

Other items in the report included:

- Paver/trip hazard work that was completed and work that is being completed.
- The new building/unit signs installed on West Bay Drive.
- The painting of wall art located at the pool.
- An update of the “To Do” lists that were provided earlier in the spring.

### **Unit Owner Modifications**

Unit 167 applied for new gutters on her unit. After discussions, a motion was made to approve the request, subject to confirmation that gutters will not be installed over the garage door area and the contractor will submit insurance documentation to West Bay.

Unit 158 applied to install landscape stones outside of their lanai. The project was discussed in detail, and it was agreed the stones are to be restricted to no more than 18 inches outward from the lanai and they are to have a border to retain them from moving outward.

After discussions, a motion was made to approve the request, subject to the conditions noted above and that proper contractor insurance documentation be submitted to West Bay.

Unit 139 applied to remove landscaping, modify the irrigation, and install a paver deck outside of their kitchen and lanai area.

During discussions regarding this project, the question of irrigation came up. Fred noted if the irrigation is modified, the owner will have to ensure areas that need irrigation are not negatively affected. It was further discussed that West Bay will need to have the proper insurance documentation from the contractors working on the project.

A motion was made, followed by a second and unanimous approval to approve the application with the additional requirements.

Unit 134 applied to install impact windows and doors to their unit. After reviewing the application, a motion was made to approve the application as submitted, conditioned on West Bay receiving the “proper insurance” documentation from the contractor. The motion received a second and unanimous approval.

### **Unit Sales and Rentals**

None

### **General discussions**

Diane reported the north irrigation clock will need replacing. Upon discussion, it was noted that if the clock needs to be replaced, the installation of a smart clock should be considered. With the POA water permits now being issued, the use of a smart irrigation controller clock is a compliance mandate within the Water User Agreement.

Fred will work with Stephen and provide historical information necessary in obtaining proper bids for the services.

After general discussions and owner comments, a motion was made to adjourn the meeting at 11:29 AM. The motion received a second and unanimous approval.

The next meeting is July 26<sup>th</sup>.

Respectfully submitted by



Stephen Skakandy, LCAM

For and on behalf of the Board of Directors