

WEST BAY CONDOMINIUM ASSOCIATION, INC.  
BOARD OF DIRECTORS' MEETING MINUTES  
Wednesday, July 26, 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 9:00 AM.

**Approval of Minutes**

Diane Asked if all Board members had time to review the minutes. A few changes were suggested and added to the draft minutes. After the discussions, a motion was made 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 initiated with a review and explanation of accounts presented on the Balance Sheet. Bob provided details regarding the Receivables report, advising how the prepaid accounts are reported and that no accounts are past due.

Before moving to the P&L report, Bob announced the reserves were previously mandated to have a \$100,000 minimum balance. Bob added, the Board recently rescinded the original mandate to allow for use of the reserve funds as needed.

As the P&L was reviewed, Bob emphasized the accounts that are over-budget for the cycle and opened discussions regarding the insurance expenses, landscaping expenses, and building repairs.

As the report continued, questions were asked, and owners present generated discussion. Bob also provided a list of items the Association will have to address before the end of the year; items such as: tree trimming, seasonal flowers, and the billing of landscaping items that are in process.

The report continued with Bob recommending expenses associated with the pavers and resolving trip hazards be recorded to the reserves, which will have a positive impact on the P&L. Bob concluded his recommendation by noting the reserves have an allocation in the year 2024 for trip hazards and pavers.

A call for questions and/or discussions was offered. Questions regarding the receivables account and the small prepaid balances were discussed. Diane asked if there is a process that can be used to clear the report of the small prepaids. After discussions it was suggested that communications be initiated with the two residents in question.

After his report, Bob asked if there were any questions or comments from any Board member or owners present. There being no additional discussions, a motion was made to accept the financial report as submitted. The motion received a second and unanimous approval.

Prior to moving on with the agenda, Bob presented the existing agreement with Association Reserves for the annual update for our reserve study. Bob provided updated information to Association Reserves and that the deposit check should be processed to get the update started.

### **President's Report**

Diane provided the President's report beginning by announcing current activities within the POA.

- ✚ The current HotWire contract expires December 2024. The POA is researching other opportunities for the community.
- ✚ The POA closed on a \$350,000 Line of Credit for emergency needs, should they arise.
- ✚ New rules for village parking are being reviewed.
- ✚ The central gate is in the process of permitting. The old structure has been removed, with the proposed redevelopment pending.

### **Old Business**

#### *Lake Update*

Diane reported the POA is to add aerators to the lake, one at the entrance to the lake finger that extends between Back Bay and Schooner Pointe Drives. The purpose of the added equipment is to mitigate the growth of algae in the lake.

#### *Landscaping*

Diane's report began with the recent work removing the Areca Palms at Schooner Pointe/ Island Cove and by 117 Back Bay Drive. The area at Schooner Pointe/ Island Cove is being replaced with Coco Plums.

She continued the report noting four palm trees have been removed with a fifth found in need of removal due to Ganoderma. Revival has added the fifth palm tree removal at no extra cost to the Association.

#### *Irrigation*

Diane provided an update on the failing irrigation clock at the north pump station.

Discussions regarding the irrigation system resulted with details regarding the system of valves that can be used to flush out the main lines of the system to help mitigate the infiltration of mussels that clog the water flow to the distribution heads.

Fred provided details on the location of the valves while Stephen provided information regarding the existing filtration system and that Trader's Crossing uses the same filter system as West Bay.

#### *Electrical Service Update*

Stephen reported the contract deposit has been processed and paid. Fred will follow up with the contractor to get an estimate of the equipment delivery date.

#### *Unit 133 Discussions*

David opened discussions regarding unit 133 and the documents composed by Dick Evans re-the owner's unilateral and unauthorized construction involving the structure of the building's common property. The issue was discussed in detail.

Actions of the West Bay Board of Directors may be necessary to rectify potential damage caused to the Association by the owner's unauthorized construction to the building.

The issue of non-permitted work and the potential impact it could have on the Association was considered with discussions of how to cure the problem.

One suggestion was for the owner of 133 to be provided with a letter mandating the work be properly permitted, inspected, along with substantiation of the permit being closed, and all paperwork submitted to the Association. How to initiate communication with the homeowner was discussed, as well as who would compose the document. After Dick provided a detailed history of the sequence of events surrounding the unauthorized work at unit 133, he offered to compose the email communication that would be sent to the owners of 133.

#### *Insurance Action*

Bob recommended the Association investigate options for restructuring the insurance policies to have them renew in November, prior to the budgeting processes. He noted Don Brady cautioned the Association that the change in the policy term may have the insurance company require a reevaluation of the property values. Bob reminded the Board that this is the year a new appraisal is needed; therefore, the timing would be good for the reevaluation of the policy terms.

### **New Business**

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

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

Dick began the discussions regarding the statutory structures and requirements for the Association to impose fines for owner violations. Dick read the statutes to the Board and reviewed the fining processes, fine limits and the hearing processes mandated by the statutes.

Dick announced he is in favor of invoking the fine process.

Each Board member voiced their opinions on using the fining process and how it may benefit the community.

### **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, in particular 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.

### **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.

Unit 223 also reported water intrusion with Insurance Action.

The insurance items were discussed during the Financial Report. Water intrusion into the garage was found to come from the upper front balcony which shows evidence of failure and lack of maintenance of the floor tiles. Stephen provided details and photos of the deck area suspected of causing the water intrusion.

After reviewing the details, the Board suggested Jupiter Management engage its service department to inspect all front balconies and provide a property-wide condition report.

The report continued with other unit maintenance issues and projects.

- ✚ Unit 135 with a potential cast iron pipe failure over the entry foyer.
- ✚ Unit 202 and an update of the drywall repairs to the entry walls in the unit.

Projects in the report included:

- ✚ The paver/trip hazard repairs.
- ✚ The pool work to rid the surface of black algae.

✚ The pool work to replace the gutter drainage grates.

The report concluded with Randy's Holiday Lighting proposal for the 2023 holiday decorations. In spite of the increased decoration pricing, all agreed to proceed with Randy's for the 2023 decorations.

A motion was made, followed by a second to approve the proposal by Randy's Holiday lighting. The motion received a second and unanimous approval.

### **Unit Sales and Rentals**

Unit 205: the non-arm's length sale to add their daughter's name to the title of the property was presented for ratification.

Unit 256 was presented for sale. Stephen reported there were no unusual items within the application,

After discussions a motion was made to approve the ratification of the 205 sale and the sale of unit 256. The motion received a second and unanimous approval.

### **General discussions**

A call for owner discussions was given. Ted Field reported a raccoon has been found walking on property. After discussions it was suggested, he contact Palm Beach County animal control.

After general discussions and owner comments, a motion was made to adjourn the meeting at 10:52 AM. The motion received a second and unanimous approval.

The next meeting is August 23rd.

Respectfully submitted by



Stephen Skakandy, LCAM  
For and on behalf of the Board of Directors