



A not-for-profit corporation

Approved Board Meeting Minutes

June 19, 2021

Location: Errol by the Sea Clubhouse
4501 So. Atlantic Ave.
New Smyrna Beach, Fla. 32169

Date: June 19, 2021

Time: 10:00 AM

The Meeting was called to order at 10:01 am.

Twelve owners were present via Zoom.

A quorum was established with all Board members present. Cheryl Fazio, Jim Lacovara, Mark Hilborn, Darren Campbell and Lois Joyce in person, Deborah Fourness, and Debbie Gunter via Zoom.

Manager Kerri Gallagher confirmed proof of Notice.

Meeting Minutes for January 9, 2021, were approved with motion to approve by Jim Lacovara, seconded by Mark Hilborn, motion carried unanimously.

President Cheryl Fazio gave the President’s Report – see attached

Treasurer Deborah Fourness gave the Treasurer’s Report –

- First quarter financials were running \$15,000-\$20,000 over budget in supplies, maintenance payroll, and landscaping. There were cost savings in fees & licenses and building maintenance.
- The roof project will substantially reduce reserves. A review of the reserve budget will need to be done once the roof project is completed and the reserve study has been done.
- The reserves will need to be built back up. Monthly assessments will need to be looked at as they have not been raised in several years. It is important to at least maintain the insurance deductible.
- Balances for 2020 are being reviewed to make sure they are accurate before the 2020 tax return is filed.

Manager Kerri Gallagher presented the Manager’s Report – see attached

Committee Reports –

- Rental Committee – Darren Campbell gave the report for the Rental Committee.
 - o The Rental Committee requested more transparency concerning legal discussions with the Association Attorney and questioned the definition of “transient.” Representative rental owners asked to see copies of the correspondence between the Board and the



Association Attorney. Cheryl advised that communication between the Board and our Attorney is confidential unless we are reporting the results of a litigation. She also explained that use of the attorney was never frivolous and was used to get clarity on items for the good of all the Association. The definition of “transient” comes from Florida Statute 509.013 which states, ““Transient public lodging establishment” means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.” Our Documents also outline that there shall be no transients. It was also expressed again that the board has a responsibility to communicate the ordinance and Document required compliance with the owners. which was done with factual information, and that the Board is not policing the 30-day rental ordinance.

- Maintenance/Grounds Committee – Jim Lacovara gave the report this committee:
 - o The committee has been making their rounds and it is going very well.
 - o There have been many issues with the gates not working. We will be looking to start a maintenance contract with Overhead Door at \$150 a month, instead of paying \$125 per service call, to help save money.
 - o The sod that was replaced is doing well since we have started getting regular rain and had some sprinklers adjusted.
 - o Jim will be getting bids to get the trees trimmed.

Old Business –

- o Results of the Proxy votes:
 - Decommission of the laundry rooms – the vote did not pass.
 - Capital Contribution – the vote did pass. Darren motioned to have the amendment added to the condominium documents and Cheryl seconded. The vote was unanimous. The Certificate of Amendment will need to be drawn up by the Association Attorney and recorded at the County Clerk’s office before it can go into effect. Deborah Fourness volunteered to work with our Attorney on this.
- o Reevaluation of Dumpster Enclosures:
 - Dumpster enclosures were first voted on and passed in 2018 and bids were collected. The County had said we would have needed a variance due to the location of where the enclosures were proposed and the amount of parking spaces that would be lost. Deborah Fourness motioned to get two new bids and see if a variance would still be needed. Cheryl seconded and the vote was unanimous. Jim Lacovara will work on the bids.

New Business –

- o Due to the number of games being played on the tennis court; a new online court scheduler will be used to reserve the court. Michael in the office will be the administrator for the account. It will cost \$17 a month.
- o Appointment of the Compliance Committee
 - o Mark Hilborn will be the Board liaison for the new Compliance Committee. David Hancock, Wayne Pickering, and Todd Lawton have volunteered to be members of the committee.



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- The committee will create a policy that will be used as a guideline. If there is a violation, the owner will receive a letter and they will have a chance to appeal to the Compliance Committee during a scheduled hearing 14 days after the letter is sent.
- Cheryl motioned to appoint the new Compliance Committee as a committee of the Board. Lois seconded and the vote passed unanimously.

With there being no further business, then meeting was adjourned at 10:47 am.

Debbie Gunter

Debbie Gunter, Secretary