

Errol by the Sea
BOARD OF DIRECTORS SPECIAL ASSESSMENT MEETING
February 4th, 2022
Errol by the Sea Clubhouse/Zoom

MEETING MINUTES

Attendees: All Board Members attended
Kerri Gallagher, CAM

President Rob Wolf called the meeting to order at 10:00am.

Establish Quorum: Quorum was established with all Board Members present either in person or on Zoom.

Proof of Notice: Proof of Notice was given by manager Kerri Gallagher. Notices were mailed and postmarked 15 days in advance of meeting on Friday January 20th. Notices were also posted on site and emailed.

Seawall Contractor Evaluation & Selection:

- Board had an emergency Seawall Contractor Evaluation / Selection meeting on Jan 30th under Florida Emergency Statutes Section 718.1265 that allows the board to act without first providing notice to the membership in response to damage caused by an event for which a state of emergency is declared.
- The Florida Statutes governing condominium associations, cooperative associations, and mandatory homeowners' associations provide for the board to act in an emergency without first providing notice to the membership. In fact, several years ago, the legislature added Florida Statute Section 718.1265 to the statutes governing condominium associations to specifically provide for a condominium association's emergency powers in response to "damage caused by an event for which a state of emergency is declared" under Florida law.
- The urgency of this meeting was driven by schedule to determine the amount of the assessment we are voting on today. We received the proposals on Jan 27.
- Darren Campbell and Rob Wolf went through a slideshow explaining the Seawall Committees evaluation and recommendation.
- About \$1.4M is the seawall contractor and about \$137K is work that has already been accomplished.
- Darren Campbell motioned to accept the cost estimates as presented. John Valyo seconded. **The vote passed with a unanimous vote.**

Resolution of Special Assessment: **"The Board of Directors of Errol by the Sea hereby resolves that a pro rata special assessment to raise funds in the total amount of \$2M for payment of repairs to the condominium due to Hurricanes Ian and Nicole, which includes repairs relating to the replacement of the seawall, beach stairs, beach deck, drain basin, plumbing, sprinkler system, landscaping,**

site grading, sod, engineering services, emergency repairs, sand replenishment, and any other related items damaged by the storm and to replenish the reserve account of funds that were used for emergency restoration. The assessment due date is March 4, 2023. A special assessment is subject to the collection policies set forth in the Association's Declaration."

- Chuck Wason motioned to pass the Special Assessment Resolution and Jim Lacovara seconded. **The vote passed with a unanimous vote.**

FDEP Grant Update:

- State allocated \$50M to Hurricane Relief
- Maximum possible grant is \$150K based on 50% match.
- Applications accepted through July 2023.
- Work must be completed with proof of completion & payment.
- 1st come 1st serve
- **Plan is to submit application for the Association once we have \$300K in work completed for a \$150K grant.**

Errol Stair Options: The two options for the beach access stairs are Truline Embedded Stairs or wooden stairs. Embedded stairs are permanent and are on the property side of seawall, which simplifies Volusia permitting. They have survived CAT 4 & 5 hurricanes.

- Mark Hilborn motioned to proceed with concrete stairs and regroup if ADA is required. Darren Campbell seconded. **The vote passed with a unanimous vote.**

Adjournment: Darren Campbell motioned; Mark Hilborn seconded, to adjourn the meeting at 10:55am. Motion passed unanimously.