

# WATERSIDE BOARD of DIRECTORS

## MINUTES of the MEETING

JANUARY 27, 2016

1. **Call To Order** – The meeting was called to order by President Charlie Eck at 10:00 a.m. in the Waterside III Social Room.
2. **Proof Of Notice** – The notice of the meeting was duly posted by Sue Walker.
3. **Establish a Quorum**- C. Eck attested a quorum was present. All Board members were in attendance.
4. **President’s Report**- The report was read by President C. Eck. A copy of the report is attached.
5. **Treasurer’s Report**- Jan VanGorder read the treasurer’s report which is attached. A motion was made by J. Hockley to give J. VanGorder authority to secure an audit firm for the mandatory audit of 2016 books and records. The motion was seconded by D. Cote. The motion was carried unanimously.
6. **Property Manager’s Report**- C. Magill presented the report. Dryer vent cleaning is scheduled for March 23, 2016. The report is attached.
7. **Committee Reports**
  - a. **Crisci Finance**- The reserve committee continues to work on the reserve study and a spreadsheet update will be provided in February. The report is attached.
  - b. **Building**– No report was provided as there was nothing to report.
  - c. **Landscaping**- No report and no new items to report.
  - d. **RAC**- B. Carran reported that an e-mail will be distributed to owners regarding the building’s re-keying process. Keys will be available before and after the Annual Meeting on February 23, 2016. March 10, 2016 will be the date that all locks will be changed for the building and the new keys must be used. The committee report is attached.
  - e. **Pool Committee**- C. Eck asked J. Russo to head the Pool Committee and J. Russo agreed. No report was provided.

- f. **Social Committee**- C. Hounshell read the committee report which is attached.
- 8. **EBIA**- Mr. Yeatman provided a report and it is attached.
- 9. **EBIA Steering Committee**- C. Eck reported that D. Smith is part of the planning function of the EBIA for the golf course property and is on the Maintenance, Finance and Legal Committee.

#### **10. Old Business**

- a. **Re-Keying** – D. Carran reiterated that re-keying will take place in February. The details were previously provided in the RAC report.
- b. **Website**- S. Walker reported that some updates were done in the website. Options are being investigated for a new software provider and website.
- c. **Annual Meeting** – C. Eck reported that the annual meeting is scheduled for February 23 at 10:00 a.m. in the WS III Social Room. The proposed document change is on the agenda. In addition, there will be no election this year as the positions are unopposed.
- d. **New TV for the Fitness Room**- C. Magill reported the new TV for the fitness room will be installed within the week.

#### **11. New Business**

- a. **Approve Sales and Leases**- Leases for units 321,326, 346, 361, 385 and 386 were submitted for approval. C. Eck made a motion for approval. J. Hockley seconded and the motion was unanimously approved.
  - b. **Glass Insurance** – C. Eck questioned the status of glass coverage for the building. C. Magill will investigate whether the building has coverage.
12. **Comment and Discussion by Unit Owners**- C. Eck asked J. Hockley to provide a BMA update. J. Hockley reported that the only item to report was that the annual BMA meeting will be held on March 8, 2016. That will also be the evening for the BMA social and it will be held at the WS III/IV pool.

J. Russo expressed a concern about water intrusion issues with exterior seals on the windows. It was also discussed whether the responsibility of such seals were that of the association or the unit owner. C. Eck will ask the association attorney for the interpretation of the current documents. C. Magill was given the assignment for what the process could be for seal mitigation and the respective costs. Discussion will be re-addressed in the February meeting.

13. **Adjournment-** C. Eck moved for an adjournment and it was seconded by D. Cote. The meeting was adjourned as a unanimous motion.

Respectfully Submitted,

Susan M. Walker

BOD Secretary

2-1-2016

#### Waterside III President's Report – January 27, 2016 Board Meeting

Now that the Holidays are past our Waterside III Community is almost back to full strength. We do have some new neighbors from various parts of the country and I hope each of you will do your best in making them feel welcome.

The weather during past few weeks has generated unprecedented rain fall for what is generally considered our dry season. At the same time we've had some problems with occupants moving their accumulated lanai water out through the screens which is strictly prohibited. I've posted a notice and sent it to every owner. Additionally, we've found some bubbles in our outside stucco surface that is caused by water penetrating our walls. Carmel is having the problem investigated to determine the water's source and will present a corrective action.

Last month I advised each of you about the Town's Stormwater Utility and its implications to all residents on Bay Beach Lane. Earlier this month EBIA asked me to lead the team put together

to thwart the Town's desire to charge us for their system that is designed to exclude Bay Beach. We've had a good number of meetings involving lawyers, engineers, etc. and, although we've made substantial progress, we've yet come to the positive result of no charge. We are getting down to the wire and the Town Council meeting scheduled for February 1, 2016 will be decision time.

During the past few weeks I've notified each of you about Trash Room issues as well as removing water and debris from your lanais. We're now having a rash of building access doors being propped open for several hours at a time and pads being left up in the elevators for days at a time. First and foremost wherever and whenever possible security in the building must be maintained. If you see doors propped open, close them. If the door pins are opened close them as well. During the morning on the 22<sup>nd</sup> our front doors were propped open with a truck and trailer backed into the entry way – all without the owner at the doorway. Our PM wasn't notified for hours and then she corrected the situation immediately.

Jean constantly schools me on not turning our Association into a Gestapo environment. At the same time I believe we all can agree that maintaining a responsible level of safety and respect for our fellow neighbors is most appropriate. Our Association can, and will if necessary, impose punitive measures for breaches in our security protocol and the rules

Don't forget that our Annual Meeting is on February 23, 2016 in our Social Room at 10:00 PM. I've been advised that both Sue Walker and Jan Van Gorder have decided to run for their seats and that no other individuals have decided to run. I don't know if that means you've given up on us or you like the results this team generates. Suffice it to say that running this Association is not an easy task and I fully appreciate all the expertise and interaction we have on this team as well as the excellent support from our committees.

## **Treasure Report January 27, 2016**

**The draft financial report received from M&B indicates that the overall 2015 budget performance resulted in a Surplus of \$12,786. The operating fund balance in \$97,778.**

**This reflects sound financial practices by committee chairs, the WIII Board, our Property Manager and our partners at M&B. Thank you to all.**

**Per Florida State Statue, WIII is required to have an audit of the 2016 books and records. In that regard, I am recommending to the Board that we instruct our Property Manager to secure bids for the required 2016 audit and submit same for Board approval as soon as possible.**

**Jan R Van Gorder Treasurer**

**WATERSIDE III  
PROPERTY MANAGER'S REPORT**

**January 27, 2016**

A/C: Travis A/C started the A/C maintenance yesterday January 26, 2016, they will be done by Friday at the latest.

PLUMBING: Franklin Seckinger Plumbing will be doing a visual plumbing inspection Friday January 29<sup>th</sup> 2016, owners will be informed of any issues that arise.

DRYER VENT CLEANING: Lint Away will be doing the dryer vent cleaning on Wednesday March 23<sup>rd</sup> 2016. They will be pulling out each dryer to clean all the way out to the stack.

POOL/SPA UPDATE: Slates have been added to the pool cage area to block some sound and the unsightly view. The area has also been cleaned out.

The pool and spa rules have been updated to reflect that diaper aged children can use the pool when wearing appropriate swim diapers and the no food or drink will apply only to the 4 foot from the waters edge at the pool and spa.

VENDORS: All owners need to notify the office of any work that is being done in their unit. This ensures that the vendors have approval if necessary and that the owner and the vendor are aware of the rules.

FITNESS EQUIPMENT: The elliptical was repaired. A new 32" TV and full swivel stand has been purchased and should be installed this week. The standing scales is also off by a few lbs. Would the Board like to replace this? We have tried to reset it several time.

FOUNTAIN: the starter on the irrigation well pump that feeds the fountain went down last week, the parts have arrived and TNT will be out tomorrow to replace it, once that is done Maintenance will get the fountain up and running.

WATER INTRUSION: The Board has approved McLeod Construction to conduct water intrusion testing on the building to detect possible issue particularly in the fitness room. This will start as soon as possible.

Carmel Magill

1/25/16

## **CHRISI FINANCE COMMITTEE REPORT ---JANUARY 27,2016**

**The reserve committee continues to make good progress. We have had several meetings, including a walk-around the building. We have organized the structure of the report and have created a rough draft. In addition, we have had several conversation with our accounting firm M&B regarding various iterations we are considering.**

**The Property Manager is actively gathering input data and we are planning on a spreadsheet update mid February.**

**Submitted JAN R VAN GORDER – Treasurer**

RAC Report 1/27/2016

Rekeying the Waterside 3 Bldg

Carmel will send out an email in the next few days telling everyone we are rekeying the building. Owners will get 2 new keys and will be asked how many extra keys they want.

Cost for extra keys is \$20 each payable by check only

We will have the new keys available for pickup before and after the annual meeting Feb 23 ,2016. People will need to sign for keys and pay for extra keys at that time.

Carmel will send out, and we will have available in the lobby, forms that must be filled out and returned before anyone other than the owner can pick up keys.

Keys will not be mailed out.

The new locks will be installed March 10 ,2016. The old keys will work until that time .We will have signs in the elevators with the dates

Each new key will be numbered and dated 2/2016

### **EBIA Report – Jan27, 2016**

#### 12 January 2016 Annual Meeting

This was one of the most confused meetings that should be subject to Roberts Rules Order that I've ever participated in. A majority of the problem was a lack of leadership and management of the 200+ people that were packed into this small room. Eventually, some people understood that only the Members could vote and that we finally had 15 Members present.

Things again reached chaos when we reached item 5. on the agenda "Determination of Number of Directors for 2016". Prior to the meeting I made an attempt to understand the EBIA documents to determine how the number between 5 and 15 directors is set and for how long that number stays current. I'm not sure that what the President stated was completely accurate, but it seems that this is how things have been done previously (but I can't verify since this may be the first time we've ever had more people apply for the position of Board member than we had people resign). So this is how things went: The Board set that the number of members for the next year and that number will be 7, the number of members leaving the Board was 4 and the number applicants was 6 so we had to have an election by the Members.

Half the Member ballots were turned in when a Member wanted to offer a motion that every candidate should have 1 minute to provide a sales pitch. Who was eligible to vote again raised its ugly head, and we were now able to find a 16<sup>th</sup> member. After an interminable length of time the 1 minute motion finally came to a vote and did not pass. The balloting was completed.

During the open discussion I requested to enter the motion that Waterside III directed me to present. The EBIA Board President attempted to get me to wait for the Directors meeting following the Annual. I refused stating that only at the Annual Meeting can a Member put a motion on the floor. I was allowed to make my motion: **"I move that EBIA take the lead in negotiations with the town of Fort Myers Beach on behalf of its Members' residents regarding defending the position that no property owner of**

**Bay Beach should be required to contribute payment to the townships storm water management system.”** There were several attendees that were not aware of the situation with the town and the President turned the discussion over to Mr. James Costello the EBIA attorney. After a very lengthy presentation and Q&A with attendees the President requested that I consider withdrawing my motion; to which I declined. Mr. Ed Lombard and Mr. John Shae (not sure of spelling) were advocating that we need to consider paying some part of the rest of the town’s Storm Water Management System costs. I declined to withdraw my motion, stating that first of all the rest of the town has not paid or offered to pay for our Storm Water Management System since its establishment in 1988 and my motion clearly states “negotiations with the town”. Mr. Shae then put a Motion on the floor to Amend my motion to delay voting on my motion until sometime after some more meetings with the town. The President accepted and allowed the motion. The vote on his motion was 15 to 1 to delay voting on my motion until sometime after everyone completed discussions with the town.

#### 12 January 2016 Board of Directors Meeting

The new 2016 President of EBIA, Tom Taeye, called the meeting to order. After all the housekeeping items we proceeded to item 4. FMB Surface Water Update. There was only a slight recap and then the President stated that he has directed Mr. Charlie Eck to lead, with his committee, the discussion and negotiations with the Town of Fort Myers Beach. There was no discussion or determination by the EBIA Board as to funding of legal time, authority to speak for EBIA or any other parameters.

There were questions about the new property and the only outcome was that there was a committee in place they need time to work and talk to all the residents. Other than that there was a comment that Errol had ordered signage and we were waiting for delivery, what type etc was never mentioned. It was determined that roundabout lighting will be changed based on the decision of the committee that was tasked to look at that. Also, the Tennis courts have been re-stripped one with added Pickle Ball striping. The Fishing Pier vertical posts and replacement of galvanized bolts was taking place as the meeting was going on. The PM reported that the beach access has been cleaned up and repaired where necessary.