

**WATERSIDE III AT BAY BEACH CONDOMINIUM  
ASSOCIATION, INC.  
MINUTES OF THE BOARD OF DIRECTORS MEETING  
FEBRUARY 13, 2024 FOLLOWING ORGANIZATIONAL MEETING**

1. **Call to Order:** The meeting was called to order by Pete Yeatman.
2. **Proof of Notice:** Pete Yeatman posted the agenda on Saturday, February 10th, 2024.
3. **Establish a Quorum:** Present were Pete Yeatman, Scott Kitkowski, Joel Wilmoth and Donna Kaiser. Jeff Lievense attended on the phone.
4. **Read and Approve Minutes of Board Meetings:**  
Pete asked to waive the reading of the minutes from the October 23, November 6th and November 22, 2023 BOD meetings and requested a motion to approve them. The motion was made by Donna Kaiser, seconded by Scott Kitkowski, and unanimously approved.
5. **President's Report:** Pete read the President's report.  
A copy of the president's report is attached.
6. **Treasurer's Report:** Jeff read the report which had been sent to owners in advance of this meeting. Topics included:
  - the on-going claim work with the independent adjustor, Altieri Insurance Consultants;
  - a summary of the 2023 financial results;
  - a synopsis of the current cash balances; and
  - some uncertainties that could impact the 2024 financials.A copy of the treasurer's report is attached.
7. **Property Manager's Report:** Sylvie provided her updates.  
A copy of the report is attached.

Question: Sue Walker asked whether plumbing inspections are still being done.  
Response: Sylvie will ensure that is included in the maintenance schedule.

8. **Standing Committees Requesting to submit reports:**
  - a. **Facility Committee**  
Scott recapped the facility committee report with these highlights:
    - Roof material was delivered on January 15, roof work began January 31, with a projected duration 6 to 10 weeks, depending on weather.
    - Visuals of the roof were provided showing each stack before work began, the current status for each stack, and what the end product will look like.

- In addition to the report, he added a reminder about the trash room: larger boxes should be broken down, cut up, and recycled, and not put into the garbage dumpster.

The report is attached.

Questions/comments:

- Joel Wilmoth raised a question whether there will be a loss of A/C service as part of the installation. Scott responded unless there is a serious issue, the estimated outage is 24 hours max.
- Janet Markelz asked whether the door alarms, set to notify after being open for 5 minutes, could be overridden. Response: Not by unauthorized persons. As part of the discussion, it was confirmed the slider doors in the social room and in the fitness room are included in alarm system.
- Sue Walker asked whether a procedure needs to be re-instituted when doors will be left ajar for things like carpet cleaning. Response: Sylvie must be aware.
- George Zabrecky commented the frame of his garage storage door is rusting. Scott mentioned in the recent board workshop, there was discussion around reserves for storage door replacement, which would include the frames. Sylvie is checking into estimates for it.
- Jack Dippel expressed a concern about his car access due to the roof-work machinery. Sylvie responded workers have been advised they need to notify in advance if machinery will block cars.

#### **b. Pool Committee**

John Russo read the pool report.

Pete commented the bulletin board indicates when workers are targeted to circle back to our pool for the additional work items, which is after the 1-2 pool work is complete.

The report is attached.

Question: Donna Kaiser asked about the electro-magnetic locks mentioned in the report. Response: John said feedback on the locks was varied, nothing has been confirmed. Pete added when WMA approached buildings 3 & 4 on whether they were willing to pay for the locks, the response was no.

#### **c. Website Committee**

Janet Markelz read the website report.

The report is attached.

Question: Laraine Yeatman asked if the team was ready for pictures to be provided. Response: Yes. Janet mentioned if anyone has event pictures, please send them.

#### **d. Landscape Committee**

Sue Walker read the landscape report.

The report is attached.

Questions:

- Rainy Kitkowski asked about plants on the backside of the pool equipment fence area. Sue responded the mesh is not what had been there; a quote is underway to be given to WMA.
- Diane Brunelle asked whether there were any plans for an herb garden.  
Response: No.
- Joel Wilmoth asked whether the plants were warranted.  
Response: Yes - for one year.

**e. Hounshell Social Committee**

Judy Stewart read the social committee report.  
The report is attached.

**9. EBIA Affairs:** Pete read the EBIA report.  
A copy is attached.

Pete explained that since Dan Squire is very new to the role as WMA representative for Waterside III, there was no report. He and John Arnold are working with him.

**10. Old Business:**

**a. Confirming or Assigning Chairs for Standing Committees**

Pete asked if there were any changes to the standing committee members.  
Janet requested Tina Estep be removed from the Website committee.  
Jeff spoke to the removal of Bob Carran and the addition of Joel Wilmoth.

**Crisci Finance:**

Jeff Lievense (chair), Connie Shepherd, Charlie Eck, Tom Kaiser, and Joel Wilmoth

**Risk Assessment:**

John Frey, Richard McKissock  
BOD will find a person to chair the committee.

**Facilities:**

Scott Kitkowski (chair), Doug Chyna, Walt Estep, John Schroeder

**Pool:**

Joe Romanelli (chair), Scott Kitkowski, John Russo

**Website:**

Janet Markelz (chair). Rainy Kitkowski, Linda McKissock, Donna Kaiser

**Hounshell Social:**

Judy Stewart & Laraine Yeatman (co-chairs), Sue Walker, Patti VanGorder

**Landscape:**

Sue explained the work to be done after the hurricane is essentially complete and would not like to be involved in the day-to-day landscape needs.  
BOD will look for a landscape committee.

Pete asked for a motion to accept the committees as described. Pete motioned to accept, Scott seconded, and the motion passed

**b. Lobby Update**

Scott provided an update including:

- Background
  - Lobby has been restored to pre-hurricane status
  - SBA money was used to replace furniture, walls, ceiling but cannot be used to renovate
  - Presentation was given in October to show first option.
  - Scott recapped the proposed option and mentioned some of the construction changes that were proposed. Furniture cost covered by SBA was \$20K and the construction was roughly \$58K + \$3K in furniture not covered by the SBA loan for a total of \$61K.
  - A straw poll was sent out to determine how much owners would be willing to spend on an upgrade.
  - Any expenditure over \$35K, needs to be approved by the majority of owners by an in-person or proxy vote.
  - Of the people who responded to the straw poll, 66% were agreeable to spend \$29K (\$500/unit), and 42% were agreeable to spend \$43K(\$750/unit). The acceptable amount would be somewhere between.
- Going forward
  - Develop additional options based on what was determined by the straw poll.
  - Request additional input from added designers to provide alternative ideas.
  - Obtain more documented input from owners on what they would like to see.

Questions/comments:

- Janet Markelz asked why a design committee was not an option, when there are several other committees in the building.  
Response: Pete explained historical decor committees did not work well. Historically, committees have taken owner groups in different directions which created conflict.
- Richard McKissock expressed the comment that units in the building are selling for close to a million dollars while the lobby does not show that same quality.
- John Russo commented there needs to be other designs presented and then the owners can determine how much they want to spend for it.
- Lance Johnson reiterated the desire for multiple design options.
- Don Brunelle suggested there may be value in running the straw poll again now that other post-Ian costs to owners are better understood. Pete agreed a new poll would be done.
- Jennifer Wilmoth asked if the designers would be limited to the value determined by the first poll. Response: Yes.  
She also asked whether the decisions made for the lobby would be part of a master plan with future work to be done on the floors (painting, carpets) so it would be coordinated. Response: not yet.
- George Zabrecky stated he'd like to see more design options.
- As stated, the direction forward will include both an updated straw poll to determine the willingness of the owners to fund the lobby project, and to what extent, and a survey to understand the owners prioritized desires for the lobby project.

- Rainy Kitkowski asked about the hourly rate for designers. Response: approx. \$150/hr.
- Janet Markelz agreed with the opinion of having a master plan for the lobby and future work in the building so there is a cohesive look.
- Sue Walker asked if there will be competitive pricing on the proposed designs. Response: Yes.

## 11. **New Business:**

### a. **Ratify Dan Squire as W3's Representative on WMA**

Pete asked for a motion to ratify Dan. Donna motioned, Scott seconded and the motion passed.

### b. **Fountain area drainage**

Pelican has a proposal to rectify the drainage problem between the fountain and the driveway. No comments from the board. Pete made a motion to pursue the proposal with Pelican, Scott seconded the motion and the board approved it.

### c. **Asphalt resurfacing**

The reserve report designated 2024 to repave the property. Sylvie obtained 3 proposals with this pricing: Bonness - \$108K, Gator - \$84K, and Paramount - \$80K. Scott weighed in with support of Paramount if we can get them to do the grading that is needed.

Pete made a motion to accept the Paramount asphalt proposal assuming we can get agreement on grading, Scott seconded and the board approved.

### d. **Review and update of Waterside III Rules and Regulations:**

Pete suggested this topic be moved to the next meeting agenda.

## 12. **Sales and Leases - Ratify Approved Sales and Leases:**

- Pete made a motion for approval of the sale of Unit 333, Scott seconded, and the board approved it.
- There are many leases as shown in the table on the property manager's report. Pete requested a motion to approve the leases. Donna made the motion, Scott seconded it and the board approved.

## 13. **Comment and discussion by unit owners:**

- Scott asked for an item added to the next meeting agenda to research the ability for owners to call into a BOD meeting. Board members will research this.
- Lance asked about progress with Altieri. Scott showed pictures that Altieri had taken reflecting some window damage. A glazing expert was brought in; they believe there is damage to the windows. We will continue to work with Altieri on how to present the information to see whether insurance will pay for it.

Questions:

Would the windows be repaired or replaced? Scott said this is not yet decided.

Is window replacement in the budget? Response: Window replacement is owner responsibility.

Is board approval needed to replace windows? Response: Yes, it is unit modification.

- Lance then asked about the exterior painting for the building. Scott said based on our policy, this would need to go to arbitration.

14. **Adjournment:** Pete asked for a motion to adjourn the meeting. Joel made the motion and Scott seconded. Adjournment was approved.

## **President's Report (Feb 13, 2024)**

With the exception of a few ongoing Ian recovery projects this meeting should be the beginning of getting back to normal BOD operational activities. I think my report at the Annual Meeting covered most items, we'll cover the rest at this meeting.

I'd like to thank Dan Squire for agreeing to step up and become Waterside III's representative to the WMA.

It's been suggested that as owners, and not as a BOD function, we schedule some unofficial owner get togethers to enable new owners to ask other owners questions about day-to-day operational items; if someone wants to undertake that effort please proceed.

Respectfully submitted,  
Pete

## **Waterside III at Bay Beach Treasurer's Report February 13, 2024**

This report was previewed by the Crisci Finance Committee members (Bob Carran, Connie Shepherd, Tom Kaiser, Charlie Eck), our Myers Brettholtz accountant (Kerry Johnson), and our property manager (Sylvie Gauthier).

For Waterside III, 2023 was a year defined by recovery from Hurricane Ian which struck Fort Myers Beach on September 28, 2022. As you all know, great progress on repairs was made during 2023, but there are some significant items still pending. One of these, replacing the building roof, is now in progress. Two others, which are potentially very significant expenses, relate to damage to external windows and sliders and the exterior building surface. As reported at the November 22, 2023, board meeting, we have engaged Altieri Insurance Consultants to represent us in determining the amount of damage and in dealing with our property insurance company. I'll comment further on the financial aspects later in this report.

For reference, I reported on the Waterside III 2024 budget at the November 22, 2023, board meeting. This February 13, 2024, report is focused on the 2023 financial results.

First, here is a summary of 2023 financials

- Revenues were \$987,060.50, exceeding budget by \$229,599.12. This was because of an unbudgeted flood insurance claim payout of \$231,126.62. That claim amount was used to pay down our Small Business Administration (SBA) disaster loan, as

required by the terms of that loan. Otherwise, 2023 revenues were essentially on budget.

- Operating expenses were \$892,554.40, over-budget by \$135,093.02. This was due mainly to unbudgeted storm repair expenses of \$397,913.83, mostly offset by under-budget insurance expenses of \$265,410.71. Insurance costs were under-budget because the delay in repairing our roof has delayed an annual property insurance payment (estimated, \$200,000) from 2023 to 2024. There were also significant variances in two expense categories that offset each other.
  - Administrative Expenses were over-budget by \$22,123.21. This was due mainly to unbudgeted legal expenses associated with obtaining the SBA loan and other storm related matters and estimated income tax on interest earned in 2023.
  - Building Maintenance Expenses were under-budget by \$18,552.02. This was due to various repairs being classified as storm repairs and as well as reduced other storm related maintenance costs.
- Overall, Waterside III had an operating surplus of \$94,506.10 in 2023.
- The year-end 2023 Operating and Reserve fund balances were \$85,027.47 and \$170,838.41, respectively. These are largely unchanged from year-end 2022.

The current cash balances in Waterside III accounts total \$1,597,833.57 as follows.

- \$1,532,729.43 in a Fidelity Investments Corporate account. The funds are invested in money market accounts, currently earning 5% interest.
  - \$65,104.14 in American Momentum Bank accounts, paying essentially no interest.
- Before you get too excited, most of that cash will be spent within the next 2-3 months to pay for the roof replacement and our annual property insurance premium.

At the November 22, 2023, board meeting, I reviewed uncertainties that could impact our 2024 finances. Here is an update.

- We were just notified of a further flood insurance claim payment of \$152,513.00. Once received, it will be used, to replace the breakers and panels in our fire access control system. Timing for that is yet to be determined. In the mean time, the money will be added to our Reserve Fund.
- We may need to return some SBA loan funds if we have been loaned more money than our net allowable repair expenses. This should be less than \$100,000 and possibly zero. We'll have a better view on that in 2-3 months.
- On property insurance, we were just notified that the replacement value of our building has been increased by about one-third. Thanks to guidance from our broker, we anticipated and accounted for that in the 2024 budget.
- As I said at the beginning, the biggest financial unknown is the ultimate cost to owners of replacing damaged external windows and repairing damage to the building exterior surfaces. There could be significant financial exposure since we have an unmet property insurance deductible of about \$350,000. If that comes into play, we will request a further loan disbursement from SBA. But that is not guaranteed. I expect we'll know much more within 2-3 months.



- As you all know, there is a lobby renovation project in the works. Furnishing expenses (\$18,293.33) will be submitted to SBA. Funding for any further lobby expenditures would require a special assessment.

Respectfully submitted,

Jeff Lievense, Treasurer

**PROPERTY MANAGER'S REPORT  
(2-13-24)**

- The front doors are now closing as they should thanks to Lee Locks & Key
- Security system has been installed. It notifies us when any doors entering the building are propped open for more than 5 minutes.
- To accommodate the roofers access, a key pad lock was installed on the trash room door. Code is 3814.
- To accommodate USPS parcels a new shelving was added in the mail room.
- One of the treadmills was replaced.
- The annual fire inspection deficiencies were corrected. (rings missing in unit 351 & 312)
- The domestic & fire back flows failed the annual inspection. They will need to be flushed and cleaned by Florida Life Safety, which is scheduled this week. (failed to hold 1.0 psi or greater)
- A reminder that personal items are limited to “in front of your unit doors” and not in common areas as this is a violation of the fire code.
- Once the roof is completed, the dryer vent cleaning will be scheduled. This includes inside every unit
- Rusted drip edge in front of the building was sanded and painted.

**RATIFY SALES & LEASES**

**SALES**

Unit 333 sold to Mark & Julie Bishopp (sale pending)

**LEASES**

Carlisle	1/1/20	3/31/20	374	Peter & Sheila Kidd
Fornico	1/1/20	3/1/202	381	Kent & Karen Niese
Fornico	3/1/20	5/1/202	381	Brenda Polano / Paul Risko
Seibert	1/1/20	1/31/20	3H1	Anthony & Judith Spazzarini
Seibert	2/1/20	2/29/20	3H1	Mike & Linda Christoffersen
Seibert	2/29/2	3/31/20	3H1	Patrick & Patty Bridger

Karren	1/13/2	3/9/202	375	Herman Van & Lana Nickert
Orland	3/1/20	4/1/202	323	Nancy & Julie Robertson / Jim
Karren	3/9/20	4/8/202	375	Cora & John Rubitschun

**Facility Committee Report**  
**(Scott Kitkowski, Walt Estep, Doug Chyna, John Schroeder)**

We are now getting closer and closer to finalizing open items from the Hurricane, still a way to go but definite progress is being made. I will not cover all items, but there are a significant few that should be covered.

- Roof Status
- AC replacement Status
- Door alarm system

**Roof**

As you know we contracted with Crowther to replace WS III roof. Crowther delivered material on January 15th, and actually started demolition of the current roof on January 31st. Duration of the project is expected to be between 6-8 weeks which includes the AC project as well.

**AC Systems**

As part of the reroofing project, the AC units will be removed and reinstalled on code compliant racks with new disconnects. There are 19 units scheduled for replacement during this process. Crowther checked all air handlers on 1/25/24 to insure there would be no issues with installation. Crowther is targeting to begin to hoist units on the roof starting week of 2/5/24

**Door alarm system**

The door alarm system has been reinstalled at WS III. It will notify via txt or Email certain individuals if a door is left open for an extended period of time - roughly 5 minutes. There are 20 doors connected to the systems including the sliders in the Social room and Fitness room.

**Monthly Facility Check sheet**

The monthly Facility Committee inspection sheet continues to be utilized to inform Paul and Sylvie of potential issues and to get them repaired. Thanks to John, Doug, And Walt for contributing. The latest inspection performed was in January, it noted approximately 16 items, some of which have already been addressed. During January the status of all Floor fire extinguishers was inspected by Doug as well.

On January 25 there was a watermain break by CVS where we lost water pressure at WSIII. In order to protect our booster pumps they had to be manually shutoff – with

one call to Walt he was all over it, and shut off the breakers, until pressure resumed, then he reenergized the pumps. There is a follow up working with United plumbing to have the booster pumps de-energized when a loss of incoming pressure is noted to insure the pumps don't "burn up".

**February 11, 2024**

**Waterside III  
Board of Directors  
Pool Committee Report  
February 2024**

**COMPLETION OF POOL RESURFACING**

The WS 3 4 pool was closed from 11/9/23 – 12/19/24 for resurfacing; the final inspection was completed on the 19th.

Plaster Selection: Silver Pearl

Cap Tile Selection: Cobalt

Waterline Selection: Islands Ocean Breeze 6x6

All fencing around the pool equipment and cabana shields was completed as well.

**ONGOING POOL WORK**

Additional work which will be addressed in the future include:

- Painting of fencing around the pool
- Replacement of incandescent underwater lights with LED lights
- Addition of electro-mechanical locks on the pool entry gates
- Replacement of cabinets, sink and drawers in the middle storage closet

Respectfully Submitted:

Joseph Oddball Romanelli

John Jersey John Russo

Scott Ricochet Rabbit Kitkowski

## **Website Committee**

**Chair-** Janet Markelz **Team Members** - Tina Estep, Donna Kaiser, Rainy Kitkowski, Linda McKissock

### **Items Accomplished**

#### **Owners Area**

Owner Photos update  
Latest official owner directory from Sylvie posted  
Some page navigation corrected/broken links fixed/eliminated

#### **General Information**

- Webpage updated to reflect misc. changes – some hurricane related(cartsbulletin board location). Old/out of date information removed.
- WMA / EBIA section updated including latest Resort Mgt. welcome packet posted and link to EBIA website included.

#### **Safety/Security**

Misc. update made to webpage

#### **BOD**

Board Members and committee members updated

### **Next Steps**

Owner review forms/posting of reviews not working correctly – found that website developer still the former admin. In the process of changing that to web committee and correcting so system works as designed.

PDF versions of all documents that are used in the Website to be sent to the team from the W3 dropbox by Sylvie so that Misc. information can be updated and approved by the board. Then the corrected versions of the documents will be posted to the website.

Page Navigation not consistent. The team is working to make all pages function the same way.

Login security needs to be reviewed. Sometimes owners are not logged out properly when leaving the site.

Get Website backed up properly to the W3 dropbox.

Latest Hurricane plan needs to be added to the site.

Eliminate redundant documents / correct page navigation.

Explore other websites for features we want to add to enhance our website.

Tina Estep has submitted her resignation. We request the rest of the committee remain in place.

Respectfully submitted,  
The Website Committee

## **LANDSCAPING REPORT FEBRUARY 13, 2024**

The final phase of landscaping post lan has been planned and is being implemented.

This includes the replacement of dead shrubs and plants from the previous planting phases and all is covered under warranty. The additional plantings are in those areas where a few more plants are required to fill in the beds. Most of these will be in the left corner area by the first driveway entrance.

The work by Pelican is planned for the week of February 19th. If additional rain days occur, then the work will be pushed into the week of February 26th.

Respectfully Submitted,  
S.M. Walker

## **Hounshell Social Committee Report February 13, 2024**

Good morning.

This is a busy week for our Social events. Thanks to all who joined in our Super Bowl party Sunday. Tomorrow will be our Valentine's Continental Breakfast. A variety of food will be offered, so you can either take away your selections or sit down and enjoy right here in the Social Room.

At the end of the month we will have a Swap Meet. You can bring items you no longer have a need for to the Social Room, with your name and unit number noted. It will be from 9:00 to 4:00. Just drop items off on a table and after 4pm you will collect any of your items that were not taken. This gives your neighbors a chance to maybe pick up a

needed item like a platter or planter, etc. and a way for you to find a new home for those items.

In March we will have our annual St. Patrick's Day party and our Easter Brunch. As usual, please check our Social bulletin board in the mail room for updates and sign-up sheets.

Laraine Yeatman - Judy Stewart  
Co chairs

Patty VanGorder  
Sue Walker

### **EBIA Report (January 9, 2024)**

This was EBIA's Annual Member's Meeting. As usual owners did not know, or remember that they are not members just owners. This was followed by the usual confusion with people trying to participate electronically; and trying to get some of the presentations either on screen in the meeting room or on Zoom for the call ins.

The President in his report updated us on things that are going on and things we've achieved this year. I urge everyone to go to [www.ebiafmb.com](http://www.ebiafmb.com) to view his PPT presentation. They are really trying to get a lot of information on the site for everyone so I urge you to go to it often.

The two most important items were that they are in the process of getting/finding contractors to present proposals and quotes for the Golf Amenities; and that the dates for the next BOD meetings will be April 9, July 9 and October 8th.

Between the call in issues and people complaining about the noise from pickleball, the amount of mosquitoes they had to cut the meeting short because they had another meeting they couldn't delay any longer. An oversight in following the agenda they forgot to ask for Representatives comments, so we were thrown in at the end with owner's comments. Our comments and questions were then emailed to Curt and he responded see below. The meeting was adjourned at 11:40.

Respectfully submitted,  
Pete

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EBIA questions

1. What is the plan for the rest of the amenities?

*I've requested 3 companies to provide quotes for the golf amenities. As soon as I get them in, we will move forward.*

*My goal is to have the golf and landscaping done by the fall.*

2. Is there more work to be done on the property plan or is it complete?  
*Once we finish with golf and landscaping, I would like to revisit the kayaking request and to also install a dog park. Some smaller games like horse shoes and yard games would also be nice.*

#### EBIA Comments

1. Although we greatly appreciate the thought and the effort, unless EBIA plans to greatly improve the quality of the holiday decorations; please never do any again. This season's were an embarrassment.

*I understand. We tried to get the regular company to install the lights but they wouldn't consider coming to the island because we would have been their only client. I did have one company who quoted \$15,000 just to wrap the 4 or 5 front palms. Normally it's \$4,500 to do the tree wraps. We also ran into the issue of not having electricity to the outlets until very late in December.*

2. There are rumors afoot that there are unit owners desiring to sell off a piece of the recreational property for commercial development. We wish to remind everyone that this was the sole reason why we purchased the property to ensure that there would be no development. We suggest that everyone goes through and reviews all the discussions surrounding the property purchasing decisions and the last attempt at this.

*I can tell you how the rumor started. London Bay requested I meet with them on January 3rd. I noted on the email they send there were 7 or 8 other London Bay employees on the invite. I found this to be very odd. I requested Charlie, Jamie, Dan and I to also attend. When I asked what we were meeting about, LB advised they just wanted to let us know what they were going to do with the Outrigger and Charlie's Boat House property. Prior to the meeting, we were trying to guess why they would invite us to meet with the owners of LB along with their top staff just to let us know what they planned to do with their property. We thought they may be approaching us with an offer to purchase the parking lot near Laguna Shores. Were we ever wrong. The only reason for the meeting was to inform us what they planned to do with their future project.*

3. Several owners have had the opportunity to take advantage of the walking path since its completion and all want to praise EBIA.

*That was very kind and we really appreciate it.  
I hope this answered your questions. Let me know if you get any more. Curt*

