

PEBBLESHORES CONDOMINIUM ASSOCIATION

BOARD OF DIRECTORS MEETING

Wednesday, June 21, 2017

CALL TO ORDER & DETERMINATION OF QUORUM

The meeting was called to order at 10:03 a.m. by President Becky Easlick. Other directors present were Don Whitehouse, Bobbi Jo Dunn-Mendez, and Jim St. John & Doug Macbeth (via conference call) establishing a quorum. Sandcastle Community Management was represented by Shelly Mandell.

PROOF of NOTICE

Proof of notice was properly posted 48 hours prior to the meeting.

DISPOSAL OF PRIOR MEETING MINUTES

The minutes of the April 20, 2017 meeting were unanimously confirmed with one clarification. In reference to the March 16, 2016 minutes, under New Business item i., the results of the vote were not shown. Bobbi moved, seconded by Becky, that the March 16 minutes be corrected to show that item i. was approved unanimously. Motion carried.

REPORTS OF OFFICERS AND STANDING COMMITTEES

Becky presented a brief report from the Landscape Committee. With a few changes in their original proposal, Latitude 26 has reduced their cost to repair the landscape in front of 120/102 to \$523.50. Work will proceed as approved at the April 20, 2017 meeting. At a future time, repairs will also be needed at buildings 102 and 198. Because we have reached and exceeded our current budget for irrigation, work for the rest of the year will be just for repairs. Further work to improve the system will stop until next year. Becky also noted that the irrigation system is much improved after recent repairs and modifications.

UNFINISHED BUSINESS

- a. Rainwater Drainage Update- Shelly reported that several communities in our neighborhood are experiencing similar rainwater runoff drainage issues. Collier County officials are investigating the problem and will develop a report of recommendations. Hopefully, this will offer suggestions that could improve drainage at Pebble Shores in future months (years). Because of the recent heavy rains, we have an immediate problem with mud accumulating in certain carport areas. Becky will consider using our handyman to shovel out the main problem areas as needed.
- b. Pool/Spa Renovation Update- We have color samples for the new tiles and coping. Becky will get input from residents and make a decision in conjunction with Bobbi and Don. Jim advised that we stick with neutral colors.
- c. Clubhouse and Building Cleaning- The carpet is extremely dirty and needs immediate cleaning for some upcoming events. After discussion of cleaning options and at the request of Becky, Don agreed to arrange for Chem Dry to clean the carpet before July 1. Bobbi offered her family's assistance to move furniture, if cost is a consideration. Also, our contract with Premier Cleaning Services provides an option for cleaning the building fronts, mailboxes, and other outside cleaning. Should be done at the present time? Becky will consult with Premier Cleaning about doing some of this cleaning during the time of pool renovation when they'll have downtime. Also, the concept of doing the cleaning on an ongoing basis (as needed) may be an alternative to the monthly, quarterly, and semi-annual options in the contract.
- d. Carport Cleaning Input- All carports were cleaned recently in early May. Was it a success? The residents at the meeting said it was a good job. One suggestion was to move it back to late May. Also, removal of the debris

from the premises is a concern. Next time, we should solicit bids from other contractors and spell-out the requirements.

- e. Landscape Proposals- This item had been covered in committee reports.
- f. Decision Recent Plumbing Bill- This item was moved to New Business.

NEW BUSINESS

- a. Decision Recent Plumbing Bill- Becky raised the question of who is responsible for the cost of an emergency plumbing project, authorized by the Association and performed by First Class Plumbing in March 2017, to replace a leaking water line serving unit 120/202 and also replace the adjoining water line to unit 120/102 as a precautionary measure. The bill of \$7,473.28 was paid from Association funds, but Becky raised the question if the owner (or owners) should be responsible for reimbursing the Association for all or a portion of the cost. The owner of unit 202 was aware of the situation from the outset, but the owners of unit 102 (a rental) may not. Becky further indicated that we are not aware of any previous instances where unit owners have reimbursed the Association for the cost of repairs occurring outside the building. Nevertheless, she further indicated that responsibility for repairs of utility lines serving individual units is addressed in our Association Declarations (9.2) and also in the Guidelines of Property Maintenance, Replacement, and Repairs. Both documents state that the responsibility for repair of items of property that service a particular unit or units shall be the responsibility of the applicable unit owners regardless of whether such items are included within the boundaries of the unit. The Guidelines, however, give the Board of Directors discretion in granting exceptions to this requirement in very unusual circumstances. Don pointed out that they were not written by a lawyer, whereas our documents were written by an attorney and are on file in the Collier County Clerk's Office. Considerable discussion ensued. Here are some highlights: Shelly emphasized that our Declarations govern our actions; Bobbi believes that repairs outside the building and those that occur before the shut-off valve (where one exists) are the responsibility of the Association and that Florida statutes may corroborate this; Doug agreed with Bobbi but added that we should apply the same standard to all situations of this kind and not just single out the one at building 120; Jim read a previously prepared statement that tended to support both Bobbi's and Doug's positions; Don believes that a determination of responsibility must rest with our Declarations; Becky feels that we should get input from owners and a legal opinion to guide our actions for future incidents that are very likely to become more frequent with time. Following this discussion, Bobbi made two motions regarding responsibility for the plumbing bill involving unit 120. Motion #1, seconded by Becky, was to not charge the owners of unit 120/102 for the portion of the plumbing bill that involved replacing the water line to their unit. Motion passed 4 – 1, with Doug casting the negative vote. Motion #2, seconded by Don, to table conversation on the remaining portion of the bill until we have a legal opinion from Attorney Falk regarding responsibility under Florida statutes. The motion carried 4 – 1, with Doug voting in the negative. Doug expressed concern that dealing singularly with this one bill alone, exclusive of other similar ones (two of which occurred under the oversight of the present Board), could be considered selective enforcement of regulations and subject the Pebble Shores Condominium Association to legal action by those effected.
- b. Consideration Reserve Study- Shelly explained procedures that are commonly used by condo associations to determine funding reserve accounts. Typically, associations just use previous experience and a way of balancing the budget. Another method is to engage a reserve study by a private organization. If the reserve study method is used, the board has an obligation to use the numbers the study suggests. If the board does not, it must inform the owners. Becky asked Shelly to do some additional research on the topic and we will discuss it at our next BOD meeting.
- c. Summer Newsletter/Survey- Discussion on this item was deferred and Becky will follow-up by sending directors some information to review prior to consideration at the next meeting. Jim will prepare an article for the upcoming newsletter that will offer guidance and suggestions to owners intending to make modifications to their units.

- d. Discussion Agenda Items 7/28/17 Board Meeting- Several items were addressed: 1. Entrance signs to the community should be refurbished and updated. 2. Jim has been researching upgrading our signs to indicate that we have surveillance cameras and to show that trespass may be prosecuted; these will be discussed at the next meeting. 3. At this point Becky stated, "If we are going to go ahead and get a legal opinion regarding this plumbing bill, then I would suggest moving up the other issues that we have considered for the attorneys to do them all at one time for cost saving." 4. The Parking Committee is revising forms and will be bringing them to the July 28 meeting for consideration. 5. Purchase and rental application forms need to be reviewed for their legality to see if we can add a line asking for more information if a negative public record is presented by the applicant. Becky moved, seconded by Jim, to get a legal opinion on our purchase and rental application forms (particularly, to see if we can add a line asking for more information if a negative public record is presented by the applicant). Motion passed unanimously. 6. Becky proposed that a Fining Committee be established to act on major violations. Shelly advised that there are legal considerations. Don questioned if we have significant need for imposing fines. After additional discussion, Bobbi made a motion, seconded by Becky, to consult with Attorney Falk on the topic of unauthorized occupancy and our legal options to take action and enforce the rules. Motion passed without dissent. 7. Becky will send directors some preliminary information in regard to developing the 2018 budget. Shelly is also working on the 2018 budget. 6. A subsequent BOD meeting date was tentatively set for September 14 at 10:00 a.m.

Comments/Questions

Pebbles Shores is located in two different flood zones. Accordingly, some buildings (three ?) are required to carry flood insurance, the others are not. Individual unit owners have the option of carrying flood insurance on the contents within the boundaries of the unit.

At this point, Becky stated that the Board needed to go into private session to discuss a personal foreclosure issue. The audience departed and the private session commenced. Because meeting minutes are open to view of all owners, no notes on the private discussions are included here.

ADJOURNMENT

Becky moved to adjourn the meeting at 12:33 p.m. Bobbi seconded and the motion carried.

Respectfully submitted,
Douglas Macbeth
Secretary