

Minutes

Marina Bay Condominium Association, Inc.

Annual Meeting

Wednesday, February 10, 2016

Marina Bay Clubhouse

6:00 p.m.

Meeting was called to order at 6:00 p.m. by President: Steve Campbell.

He called for roll-call of the Board and Officers.

Present:

President: Steve Campbell

Vice President: Barry Beauvais

Directors:

Nancy Wright

George Strasdass

Officers:

Treasurer: Chris Beauvais

Secretary: Pam Barker

Also attending: Ed Dicker, Marina Bay COA Attorney; Beverly Jamison, and Laura Green, Sea Breeze Community Management.

President, Steve Campbell certified that 70 unit owners were in attendance, personally or by proxy, which constituted a quorum.

Affidavit of quorum provided by, Laura Green, Sea Breeze Management.

As there were no names submitted for expiring board terms, which included, President, Steve Campbell; Vice-President, Barry Beauvais, and Director, George Strasdass. Therefore, there was no need for a ballot, thus no election required. The current board will stay intact.

An Organizational Meeting will follow the Annual Meeting.

As there was no quorum for the Annual Meeting in 2015, there were no Minutes.

In accordance with Robert's Rules of Order, the reading of Minutes from the 2014 Annual Meeting were dispensed.

Attorney, Ed Dicker, indicated the owners were to vote on the Minutes.

Motion made by Felicia Berger to approve the 2014 Annual Meeting Minutes. Motion seconded by Joyce Hanly.

Motion carried.

Steve Campbell gave the President's Report:

PRESIDENTS MESSAGE/2016 GOALS

I would like to welcome our guests, Beverly Jamison, owner of Sea Breeze and Mr. Ed Dicker, the association attorney and of course, Laura Green our property manager.

I would like to extend a special thank you to the board members who work so tirelessly. I want to thank Bob Stothart for always helping his boss, Barry Beauvais complete their many projects around the community. One day when those two gentleman "retire", it will be a sad and costly day to Marina Bay. I would like to thank Pam and Gerry Barker for all their help and I would especially like to thank Pat Cryan for her efforts with the board.

Well I can truly say that I personally am glad to see the year 2015 come to an end. It has been, to say the least, an extremely hard year, especially the last couple of months. As you are aware there have been some issues delaying the painting project at Marina Bay. What was supposed to be a wonderful update of the facility, bringing it into the modern world has turned into a real fiasco. It is our understanding that the latest delay was due to a resident calling into the village seeking permit information and lodged a complaint regarding the paint color. We have truly become a house divided. It's not so much what's being said although a lot of information out there is not true, it's about whose saying it.

The loudest of the opponents are not even home owners. Ted McAnlis has been sending out emails, delivering and mailing printed material to owners, he has been stopping owners in social settings, at board meetings and on the streets. He does not divulge the fact that he is not a homeowner, but makes his point well known. His correspondence tends to be written in legalese and because of that, once a document has been sent or given to us that is written by either Ted or Barbara McAnlis it is sent directly to our attorney. As of December 31, 2015 statement the legal bills that Ted McAnlis has cost the association amount to \$1,678.20. This does not include the personal appearances of our attorney in Jan and Feb as those invoices have not reached us yet. So in fact, legal bills are being generated and being billed to the association caused by someone who is not even fiscally responsible for such bills. Ted maintains he is speaking on behalf of his wife, I find it strange that in the year 2016 a woman does not have a voice and cannot speak for herself, if in fact, her position is as he states. I have received calls, emails and visits from owners that are upset that he is sending out this type of correspondence. While we, the board disagree with his opinion of the facts and the law, we can't prevent him from communicating in this type of

manner. I need all homeowners to understand that as long as he is writing to the board and to the residents we will be watching his actions legally and through the association attorney, unfortunately at a cost of all of us. If you have not already done so, I suggest that you google the name Theodore McAnlis this might give you a new perspective.

Another opponent for the painting project has been Smilie Buckland, he too, is not a homeowner. And yet, he stood before the planning in commission in January and stated that he was speaking for the majority of owners at Marina Bay, that they did not want the building painted these “garish” colors. Again, a non-owner, speaking on behalf of the owners. Smilie was also instrumental in postponing the 2016 budget and special assessment. This is a non-owner wanting to get involved in association business where he has no personal liability and making suggestions as how to better handle our fiscal picture. Really? Marina Bay has been down this road before, it would be this board’s suggestion, that only those whose names actually appear on the deed should have any say in the way our association operates.

It appears that there is some confusion regarding the Florida Statute 718.112 (2) (c) which essentially states: A meeting of the board of directors of an association occurs whenever a quorum of the board members gathers to conduct business. All meetings of the board must be open to all members except for meetings between the board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege. The statute does not extend the privilege to non-members. Members are considered to be unit owners and would appear on the deed to the unit.

Since Ed Dicker is present, we will clear up any issues and get this on the record so that there is no misunderstanding whatsoever as to whom may or may not attend our board meetings. That would include any issues with a “limited durable Power of Attorney” that has been submitted as a legal document by the McAnlis’.

Our last loud opponents for the painting project has been Jack and Patricia Ware. A letter was read to the planning commission on January 5, 2016 by Patricia and written by Jack Ware - it stated the “off white color” of Marina Bay lends itself to casual elegance of its surroundings. I don’t know anyone who would agree with the statement that the current building color is “off white”, instead of the multitude of colors it is painted. Jack is even adamant that the sidewalks are not painted pink. Ware’s letter to the board has referred to the color scheme as yellow, privately I have been told he refers to it as orange, he states there are brown doors (when in fact the doors are a copper red). Additionally, he has also referred to the new paint as “dark and oppressive”. Jack refers to the original architect and the roof colors – well the roof was changed about 8 years ago and is not the same color as was prior, it’s not even made of the same material. It is evident from his own writing the Jack probably has a color definition issue and how can he be taken seriously with these blaring deficiencies. He too, has resorted to writing to the residents and is incurring legal fees that are charged to the association. The Ware family has complained about every project this board has ever under taken – including the removal of the dead shrubs in the back parking area, the removal of diseased trees and landscaping of US 1, we have had complaints regarding the roofing project as well as the drive way and now of course the paint. So the Ware families’ complaint comes with much baggage and as of no surprise to the board members, but at least they are homeowners. Again I must reiterate, the grandstanding is costing each of us money. At this moment we are unable to supply you with the total cost of the painting delay, but it will

reach into the thousands. If it becomes necessary to implement a special assessment for 2016 and we state that it is due to legal fees – each of you will be able to reflect upon the 2016 annual meeting and know that you have been warned and where to start pointing the finger.

The Marina Bay board did turn into the planning commission a Petition to Paint Marina Bay – with signatures of 72 members – more than a majority of homeowners and actually the 2/3 as required by law for a color change. As of today we have 73 signatures, but one was turned in after the fact. Jack Ware stated last evening that the signatures were “forced”. Nothing could be further from the truth. It is still our position that we are not making a material change as we are staying within the current color tone of the building with a less than 20% change. The painting project will be getting underway shortly and will be completed within 8 weeks, weather permitting. The majority has spoken. Let’s now move forward and get this project completed without further discussion or complication. We have already heard that the opposition is not giving up the fight yet. The residents are weary, the board is tired of this issue – they are now beating a dead horse. We ask the McAnlis’ the Ware’s and Mr. Buckland to please respect the right of the majority and let it go!

Other issues facing Marina Bay – a new pool heater was just installed and we certainly apologize for the delay, but it was a real effort in receiving bids for this project. In the end the heater that was installed in mid-January and had a cost of approximately \$3,000.00.

Our goals for the 2016 year are to finish the painting project, to complete the parking lot with the seal coating and last but not least deal with the elevators in both buildings. We have already begun to address the drainage issue that is creating problems around some of the 1st floor units. We plan to get a new reserve study once our renovations have been completed. Doing this along with the recent improvements could potentially save each of us money in quarterly maintenance dues. Of course the outcome of this study, remains to be seen. One more item on our agenda this year is the cable contract that is coming to an end. We are currently under negotiations with 3 cable providers – Comcast, AT&T and Opticaltel. We have had open meetings with all three providers – and will choose the best one suited to handle the needs of marina bay residents. We will have one more meeting between now and March 15 that will be open to the residents, so they may be involved in the decision making process.

In November at the original budget meeting, many of you expressed displeasure with Sea Breeze as a whole. We have brought in Beverly Jamison, owner of Sea Breeze to listen to your concerns and hopefully give you answers and well. We ask that you keep it polite and respectful.

Both Beverly and Ed Dicker will answer your questions during the question and answer period. Please bear in mind we would like to keep comments to a 3-minute session per person.

Thank you.

A lengthy Question and Answer session ensued.

Owners were allowed three minute time-slots.

This was a general discussion, with no action (motions) required.

Building painting was discussed.

The Village of North Palm Beach Planning and Zoning Committee approved the painting project,

and it will proceed, with the majority (2/3) of owner's approval.

The project is expected to be completed within eight weeks, weather permitting.

The primary topic of concern regarded the need for improved communication between Sea Breeze Management and owners.

Several owners told of their individual situations and challenges regarding working effectively with Sea Breeze.

Many suggestions were offered, including: utilizing email, United States mail, an informational frame inside the elevators, the management box, the bulletin board in the lobby of each building, as well as a log-in/log-out system for problems sent to Sea Breeze.

It was also requested Sea Breeze be more responsive via telephone.

Residents also requested that Sea Breeze Management devise an improved method to streamline dispersing pertinent information.

Topic of the wall between Marina Bay and Camelot Motel was briefly discussed.

Blacktop seal was questioned. It is not cured, it takes 18 months to two years to fully cure.

It was specifically asked how Sea Breeze plans to respond to owner concerns, and lack of follow-up. Who do we call, what do we do?

The hours for Carlos (on-site maintenance) were discussed.

Dumpster room doors were discussed. They must remain open, because the collectors break (potentially) them and will not repair.

Outdoor cleaning schedule was discussed.

Lengthy discussion on emergency phone numbers for Sea Breeze.

Laura Green provided the emergency phone number, available to residents 24/7. The number, is 561-315-3595. This is answered by Laura Green.

Smoking in common hallways was discussed, by one owner who had received a letter from Sea Breeze. Damage to downspouts from cigarette butts was discussed.

Only after being expressly asked what her plan was...Ms. Jamason indicated disappointment, apologized and expressed displeasure and surprise. She cited employee issues, and indicated that she would address the concerns. Sea Breeze gave Marina Bay a free month of management fees as a result of the situation. She is confident things will get better. She said if Sea Breeze does not provide a timely response, a call or email should be sent directly to her.

Motion made by Tom Powell to adjourn.

Seconded by Nancy Wright.

Motion carried.

Meeting adjourned.

Pam Barker

Secretary