

WATERS LANDING ASSOCIATION
Minutes from the Board of Directors Meeting
Thursday, February 15, 2024

In Attendance – Board of Directors

- Erik Herron, President
- Nic D’Ascoli, Vice President
- Gavin Green, Treasurer
- Mark Sagarin, Assistant Treasurer/Member-at-Large
- Lee Callicutt, Secretary

In Attendance – Management and Office Staff

- Donald Perper, General Manager
- Tara Perry, Project Manager
- Luisa Chavez, Assistant General Manager

I. Call to Order & Verification of Quorum

The Board of Directors of the Waters Landing Association convened a meeting on Thursday, February 15, 2024. The meeting was convened using Zoom technology. With a quorum of the Board of Directors verified, Board President Erik Herron called the meeting to order at 7:02 p.m.; and announced that the meeting was being recorded to assist with the minute taking process.

II. Review and Approval of Meeting Minutes

MOTION: Mr. Herron moved to defer approval of the January 17, 2024 Board of Directors Meeting minutes to allow additional time for review and revision. Mr. Callicutt seconded. The motion carried unanimously.

III. President’s Report

Mr. Herron reported an error was discovered in the 2024 Annual Meeting mailing, as it was distributed without the candidate questionnaires or paper ballots. Therefore, a corrective mailing will be mailed out on Friday, February 16, 2024. (Please see Section VIII.B of these minutes.)

IV. Committee Reports

- A. Electric Vehicle (EV) Charging Committee: Peter Rotella reported the committee is nearly ready to begin a demo of solutions that were put forth to the Board for approval. One of their last items to be addressed is to prepare a draft indemnification document for homeowners to provide to their insurance companies. Once the document is done, a contractor will be brought onsite to install the necessary equipment for the demo.

The discussion included the need for completion of three separate documents:

- 1) Indemnification / License Agreement;
- 2) Umbrella Insurance Policy Letter on Association Letterhead
- 3) EVRE Policy

ACTION: Mr. Perper will inquire with the Association’s legal counsel to determine the status of the document. He will work with Mr. Rotella and Mr. D’Ascoli to ensure there is a document in place for the Board’s vote during the next Board of Directors Meeting.

- B. Architectural & Environmental Review Committee (AERC): Mr. Herron announced a briefing from the AERC would be waived, as no questions or comments were raised by the Board concerning the committee’s work.

V. Financial Report

ACTION: Mr. Perper announced the latest financial report was delayed, but would be forwarded to the Board of Directors on Friday, February 16, 2024 along with the narrative.

Mr. D'Ascoli inquired about the status of addressing the two-year old RSV invoice totaling just under \$30,000; and requested proper review and documentation concerning the matter.

ACTION: The RSV invoice will be added as a matter of Unfinished Business on the next Board Meeting agenda. Mr. Herron will not pay the invoice until approval is granted by the Board.

VI. Management Report – New Business

Mr. Perper reported the following information:

A. Board Financial Training:

ACTION: Mr. Perper will secure viable dates from Board members to hold a financial training session with FSR's Controller within the coming 30-day period.

ACTION: A meeting will be set up with Bob Porco to review the financial report.

B. Meeting with Auditor:

ACTION: Once the 2023 audit has been completed, Mr. Perper will secure dates for the Board of Directors to meet with the Association's independent auditor for Waters Landing.

C. FSR Facilities Operations Inspection:

ACTION: Mr. Perper will have Jim Stanton, FSR's Vice President of Facilities Operations, visit Waters Landing during the week of February 19, 2024 to review the structure and components of the clubhouse and Pool B. The results - to include recommendations for project prioritization and equipment maintenance - will help the Association plan for any future projects. Mr. Perper stated the inspection would be provided at no cost to the Association.

D. Community Walk Around:

ACTION: Mr. Perper will work to schedule a walkaround for management, the Board of Directors, and the AERC to conduct walks of the entire property – perhaps in phases – to note the conditions and any areas requiring attention.

E. Revision of Volunteer Committee Resolution:

MOTION: Mr. Callicutt moved to create an ad hoc subcommittee to propose revisions to the existing Volunteer Committee Resolution originally created in 2021. Mr. Sagarin seconded. The motion carried unanimously. Lee Callicutt and Nick D'Ascoli offered to participate in the work of the ad hoc subcommittee.

F. AERC Guideline Amendments – Subcommittee Solicitation:

MOTION: Mr. Green moved to have management solicit volunteers to assist with amending the Association's AERC guidelines as part of an ad hoc subcommittee. This subcommittee will include members of the AERC, Board members, and interested owners. The deadline for submitting applications will be two weeks from the date of solicitation. Mr. Callicutt seconded. The motion carried unanimously.

ACTION: Mr. Perper will provide sample committee charters from other community associations for the Board's consideration.

G. AERC Rules & Procedures for Appeals:

MOTION: Following an initial motion for approval, that motion was rescinded after discussion. Mr. Herron then moved to defer a decision until a future Board Meeting; and proceed with the existing procedures for the February 15, 2024 hearing. Mr. Green seconded. The motion carried unanimously.

H. AERC Appointments:

Discussion was held in regards to the AERC open positions. Mr. D'Ascoli reviewed the Declaration of Covenants Article IV Section 2.

"The Architectural and Environmental Review Committee shall be composed of at least three (3) but not more than eleven (11) natural persons designated from time to time by the Board of Directors of the Association and such persons shall be selected from and serve as representatives of Neighborhoods, provided, however, that at such time as the Association shall contain more than eleven (11) Neighborhood, representatives shall be selected on a regional or district basis to represent more than one Neighborhoods, to the end that there shall not be more than eleven (11) members of the Committee."

MOTION: Mr. Herron moved to defer approval of the AERC applications from Karen Kaizer, Jordan Straub, and Onnie Watson until the next Board of Directors Meeting. Mr. D'Ascoli seconded. The motion carried unanimously.

MOTION: Mr. Herron moved to defer approval of the AERC application from Matthew Dewhurst until the next Board of Directors Meeting, as he had an AERC appeal pending for decision. Mr. Sagarin seconded. The motion carried unanimously.

MOTION: Mr. Callicutt moved to appoint Steve Blum of the Towns at Waters Edge Townhomes to the AERC. Mr. D'Ascoli seconded. The motion carried by a vote of four in favor, zero opposed, and one abstained (Mr. Sagarin).

MOTION: Mr. Callicutt moved to appoint Brett Christensen of the Highlands single family homes to the AERC. Mr. Sagarin seconded. The motion carried by a vote of four in favor, zero opposed, and one abstained (Mr. Sagarin).

MOTION: Mr. Callicutt moved to appoint Shelia Jenkins-Diaz of the Landing Glenn Condominium to the AERC. Mr. Green seconded. The motion carried by a vote of three in favor, one opposed (Mr. D'Ascoli), and one abstained (Mr. Sagarin).

MOTION: Mr. Green moved to appoint Meredith Lynch of the Harbour Place Townhomes to the AERC. Mr. Callicutt seconded. The motion carried unanimously.

MOTION: Mr. Callicutt moved to appoint John Pesce of the Laurelwood Cove single family homes to the AERC. Mr. Green seconded. The motion carried by a vote of four in favor, zero opposed, and one abstained (Mr. Sagarin).

MOTION: Mr. Sagarin moved to appoint Tracy Green of the Highlands single family homes to the AERC. Mr. Callicutt seconded. The motion carried by a vote of three in favor, zero opposed, and two abstained (Mr. D'Ascoli and Mr. Green).

I. Parking Enforcement:

MOTION: Mr. D'Ascoli moved to approve the parking enforcement resolution as presented. Mr. Sagarin seconded. Following a discussion, the Board of Directors conducted a roll call vote to eliminate the proposed language that limits parking to members of the same household. The vote failed by a vote of two in favor, three opposed (Mr. Herron, Mr. D'Ascoli, and Mr. Sagarin), and zero abstained. The vote on the initial motion as presented carried unanimously.

VII. Management Report - Unfinished Business

A. Circulation of 2024 Budget:

MOTION: Mr. Green moved to circulate the 2024 budget to the ownership for review as submitted to the Board of Directors in January 2024. Mr. Callicutt seconded. The motion carried unanimously.

Mr. Herron clarified that the Board of Directors will hold CSL to the existing settlement agreement; and no vote of the Board conducted during the February 2024 Board Meeting will alter that agreement.

B. 2024 Pool Contract: The Association's pool management contract costs will increase by eight percent in comparison to the 2023 prices. Mr. Perper reported the approved contract had been uploaded to Resident Connect.

C. 2024 Landscaping Contract: The Association's landscape management contract costs will increase by three percent in comparison to the 2023 prices. Mr. Perper reported the approved contract had been uploaded to Resident Connect.

D. Fees:

1. Community Center Reservation Fee: Ms. Chavez reported a comparison was performed of fees and policies for similar community associations. Ms. Chavez summarized the comparison chart data. Based on that research, management suggests increasing the hourly community center rental rate to \$70 while maintaining the \$500 deposit.

MOTION: Mr. Green moved to increase the community center rental fee to \$70 per hour. Mr. Callicutt seconded. However, the motion failed unanimously.

2. Late Fee: Ms. Perry reported research was done to determine what other community associations in the area charge for late fees; and how they handle the assessment of those fees. Based on that research, it was determined that most associations give management the discretion whether to waive late fees for owners who are not consistently delinquent.

MOTION: Mr. Sagarin moved to authorize the managing agent to exercise discretion regarding one late fee waiver per account. Mr. Callicutt seconded. The motion carried by a vote of four in favor, one opposed (Mr. Callicutt), and zero abstained.

DECISION: Mr. Green and Mr. Sagarin will discuss when to send delinquent accounts to legal counsel, and will offer recommendations during the next Board Meeting.

- E. EventGroove: Mr. Perper explained EventGroove is a platform that would afford those renting the community center or paying for any future amenity the ability to pay online. The use of EventGroove would include a two percent financial transaction fee to be paid by the renter to EventGroove. Ms. Perry stated, once the application process has been completed, an EventGroove training would be set up with the Board of Directors.

MOTION: Mr. D'Ascoli moved to approve the use of EventGroove for community center reservation payments, with the two percent financial transaction fee to be paid by the renter to EventGroove. Mr. Sagarin seconded. The motion carried unanimously.

- F. AERC Application Process/Smartwebs: Smartwebs is a platform for submission and management of AERC applications.. Smartwebs training will be set up for a future date.

- G. Digital Fire Storage: Management looked at four options for companies that provide digital file storage. Based on the results, Ms. Chavez reported the recommendation was to proceed with Didlake Document Imaging since they provide direct, cloud-based file storage and allow customized organization. An alternative would be to file the paperwork inside a storage cabinet in the community center.

ACTION: The Board of Directors agreed by unanimous consent to defer a decision until their next meeting. The decision afforded management time to secure answers to questions raised by the Board.

- H. Document Translation: Ms. Chavez has been working on translating some of the Association's documents into Spanish.

ACTION: Additional documents will be identified for translation.

VIII. Additional Business

- A. Board Term of Office:

MOTION: Following a recommendation from Mr. Herron, Mr. Callicutt moved to assign the highest vote getter for the 2024 Annual Meeting a three-year Board term; and the second highest vote getter a two-year Board term. Mr. Sagarin seconded. The motion carried by a vote of four in favor, one opposed (Mr. Green), and zero abstained.

- B. Annual Meeting Mailing: Mr. Perper reported speaking with legal counsel about the commissions in the 2024 Annual Meeting mailing. The attorney inquired whether notice of the Special Election was provided, and the answer was affirmative. Therefore, the attorney suggested mailing out the paper ballot to owners; and advised against altering the annual meeting timeline.

MOTION: Mr. D'Ascoli moved to postpone the membership meeting scheduled for February 21, 2024 until March 4, 2024 after the expected replacement mailing has been scheduled for delivery. Mr. Callicutt seconded. The motion carried unanimously.

IX. Open Forum

Management and the Board of Directors responded to questions and comments from residents.

X. Adjournment to Executive Session

With no additional business required, the February 15, 2024, Board of Directors Meeting was adjourned to Executive Session at 9:48p.m. for the discussion of legal matters.