

**Gulf Harbor Marina
Condominium Association, Inc.
Board of Directors Meeting Minutes**

Meeting Date:

Thursday October 19, 2023 - 3:00pm

Meeting location:

Gulf Harbor Marina
100 Circuit Rd.
Nokomis, FL 34275

Meeting also available online via Microsoft Teams

Agenda and Minutes:

1. Calling of Role:

Secretary/Treasurer Jensen called the Meeting to order at 3:00pm.

A quorum was established with all board members recognizing their in-person attendance:

President: Aaron Gustafson

Vice President: Mike Burke

Secretary/Treasurer: Kaj Jensen

Marina Staff present:

Yard Manager – Dave Wiczorek

Office Administrator – David Ingram

Unit Owners in attendance:

See attached meeting sign-in sheet.

Others in attendance:

None.

2. Proof of due notice of meeting:

Board member Jensen noted that the meeting was conspicuously posted on the condominium property for at least 48 hours prior to the meeting in accordance with the Gulf Harbor Marina (GHM) bylaws.

Jensen also noted that advance notice of the meeting was posted on the GHM website (not required by GHM bylaws).

3. Reading and disposal of any unapproved minutes (to the extent applicable):

No previous meeting minutes were presented.

4. Reports of Officers and Committees:

a) Financial report

Board President Gustafson provided a focused update related to the Dockside Store and related financial issues attributed to the Dockside Store which is operated under agreement with Mojo Dockside LLC. Gustafson noted that upon review with input from our credit card merchant and legal counsel, Gulf Harbor Marina must separate all credit card charges for fuel sales from any merchandise sales (non-fuel, bait, goods, etc.) sold by the vendor that currently operates the dockside store. The vendor is a for-profit entity, and the Marina is a not-for-profit association. As such, accounting and payments cannot be co-mingled. This would be a change from past practices. Further, the marina has allowed the Dockside Store vendor (Mojo Dockside LLC) to previously utilize the marina credit card machine for non-fuel purchases which resulted in the marina having to cover on average \$4,000 - \$5,000 in merchant fees annually for non-fuel related sales. Revenue from non-fuel sales go to the vendor, not Gulf Harbor Marina. Going forward, the marina will need to ensure use of a dedicated credit card terminal only for fuel sales with the vendor having separate responsibility for managing their (non-fuel related) sales through their own terminal/system.

b) Seawall Project – Phase I Completion Summary

Board member Burke informed that the concrete work on the seawall is now complete, an important milestone. Burke added that the project is taking longer to complete in-part due to impacts from hurricane Idalia and the following high tides that flooded both the seawall project area and the interior of the Dockside Store; and the need to re-configure a large diameter drainpipe near the interface of the north building and the seawall project at the north basin. Currently, wooden decking is being installed along with wood pylons/piers at the Phase I seawall location. Next steps include working on re-connecting electrical lines and working on the fuel system components.

c) Marina Staffing update

Board member Jensen provided the following update on marina staff changes:

Office Manager Wanda Skaggs was laid off in early October and is no longer employed by Gulf Harbor Marina.

Forklift operator Anthony Gosner will leave the marina by the end of October to pursue a new combined vocational and educational opportunity.

David Ingram has been hired as an Office Administrator.

Dave Wieczorek will take on the role of Dockmaster at the marina.

Shane Strause has been hired as the General Manager for Gulf Harbor Marina. All marina staff will report to Shane. With decades of working in the marina industry, Shane has a significant depth of knowledge across all facets of marina management, from personnel, equipment and yard needs & safety, project management, business & operations development, revenue generation, and cost control.

5. New Business

a) Insurance Update – Jamie DiDomenico

The board previously asked owner Jamie DiDomenico to examine options for the marina related to our insurance – particularly on wind coverage. Jamie informed us that he worked with our insurance agent and pursued contacts that he has with state lawmakers/officials in Tallahassee. Jamie had a conversation with Carlos Beruff who serves on the Citizens Property Insurance Corporation Board of Governors for the State of Florida. Jamie informed that the state is looking to back out of the insurance business as much as possible and that his discussions with officials indicate we have little to no chance of getting any changes we seek to either the law which can relate to our coverage, or on the interpretation of applicability for certain building types which we were hoping to influence. Jamie added that we'll need to react to our new premiums for 2024 (premiums will be known in December) and then adjust strategy accordingly but knowing that we have limited options currently.

b) Parking Committee – Janette Curtis

Janette Curtis was appointed by the Board to lead a Parking Committee and to come back to Board with recommendations on resolving complaints and ensuring access to paved parking spots on the east side of the marina buildings, along Circuit Road. Janette provided the following from her work:

On September 18th, an email notice was sent via the MyHOAst platform to owners asking for volunteers to contact and assist Janette on the Parking Committee. Janette also was asked by the Board to work with GHM legal counsel to explore options and requirements related to parking at the aforementioned paved parking spots. GHM legal counsel advised that the paved parking spots are common area to Gulf Harbor Marina and as such, allowing Pop's and/or any other third party to utilize the Common Element paved parking spaces located on the east side of the Condominium Property between the marina buildings and Circuit Road would be out of alignment with the Declaration of Condominium for Gulf Harbor Marina. The attorney added that Common Element parking spaces shall only be available for common use of the unit owners and their guests and invitees. As such, the Association should remove the current signage at this location and create new signage pursuant to Section 715.07, Florida Statutes, putting Pop's patrons and/or any other third parties on notice that they will be towed if they park in said parking spaces at any time. The attorney further added that pursuant to Section 11.29 of the Condominium Declaration, a rules document should be created restricting parking to parking pass holders to avoid use of parking by any party other than a Unit Owner and their guests and invitees.

A motion was made by board member Jensen to vote on approval of the follow-through on Jeanette's research and recommendation to adopt the guidance provided by GHM legal counsel and for Jeanette to help ensure that new signage, enforcement plan, communication plan, monitoring plan, and parking rules be developed with an enforcement date to start on or around December 1, 2023. The motion was seconded by board member Gustafson and all three board members voted unanimously on approval. Motion carried.

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c) Board of Directors – expanding the Board – Nancy Adams

Prior to the Board meeting, Nancy Adams was asked by the Board of Directors to explore the Gulf Harbor Marina bylaws and Florida Statute to determine if it would be possible to expand the Gulf Harbor Marina Board of Directors to help lessen burden of tasks and work by the Board.

During the Board meeting Nancy reported that it would be possible to expand the Board of Directors to five (5) positions. Such an expansion would be possible under the exiting GHM Bylaws and by Florida Statute.

The Board asked Nancy about the notice and other requirements to make such a change, including timing for expanding the board. Nancy outlined a potential avenue that would allow for three new board members to be voted on during the Annual General Meeting coming up in the next few months for the Association. Nancy suggested that on or around February 1st would be a good target date. Nancy added that vacancies at that time would be the new positions (two) expanding the board from three to five members and replacing the director role held by Mike Burke that will come to term at that time. This would allow for a vote of three new positions to the board at the time of the next Annual General Meeting early in 2024.

Board member Gustafson made a motion to vote on the pathway explored by Nancy Adams to expand the Gulf Harbor Marina Board of Directors from the current three (3) positions to five (5) positions with voting of the two new and one expiring position to occur at the time of the Annual General Meeting on our around February 1, 2024. Director Jensen seconded the motion. All three Board members voted in favor of the motion. Motion carried.

Director Jensen asked meeting attendees to please consider volunteering for the Gulf Harbor Marina Board of Directors. Director Gustafson added that several communications will be sent in advance of the Annual General Meeting to solicit and interest candidates in running for the Board.

6. Unfinished Business

There was no unfinished business to report.

7. Adjournment

At 4:50pm board member Jensen made a motion to adjourn the meeting. The motion was supported by board member Gustafson with all board members voting in favor to adjourn. Motion carried.