

Board of Directors for Aquavista of Panama City Beach Owners Association
Meeting Minutes
January 8, 2016

1. **Call to Order.** Gene Christian called the meeting (Agenda One) to order 4:00 p.m.
2. **Calling of roll and determination of a quorum.** Julie Hile, Gene Christian, Richard Dowdy, Jerry Carpenter, and Christine Prue responded to roll call.
3. **Proof of posting of Notice of Meeting.** Notice of Meeting was posted on the clubhouse and agenda distributed by email by Gene Christian on January 6.
4. **Review and approval of minutes of previous board meetings.** A motion was made to approve the minutes, and the motion carried.

Old Business-

1. **Presentation by Metal Roof Repair Vendor as recommended by the Mansard Roof Repair Committee.** Phillip Jorgensen and Bob Miller from Ameritech presented their proposal. The proposed roofing is aluminum, which will last much longer than steel. Near the coast, steel is expected to last only 10 years and cannot be warranted. Two manufacturers of similar products were considered: Peterson and Atas. Atas is more expensive but does not require the twice a year wash down to maintain warranty. The committee had preferred the Peterson due to its lower initial installed cost. Julie Hile pointed out that the currently installed standing seam profile of the roof differs from the Peterson product being considered. Also, the panel is narrower. Best color match, known as "Interstate Blue", will need about a 6 week order lead time.
2. **Presentation by Engineer for contract/construction management services.** Victor Bowman is an architect and licensed general contractor. Worked with Ameritech at Watercrest condos, PCB. Mr. Bowman opined that the Ameritech bid seemed low, and the final cost will likely be higher once he makes changes to scope/specifications, but he would work closely with Ameritech to see exactly what their bid price included regarding design and installation details like attachment at edges, cutting and replacing stucco, painting, sealing, etc and general conditions of an AIA contract. Victor's approximate \$30,000 project fee includes \$5,000 up front to help address design and installation details in a contract with Ameritech. Not a fan of a snap-lock product from Peterson like what is proposed, but prefers the Peterson product that has a folded seam that he has historically specified for Peterson brand roofing. A discussion was held regarding the timing of the project. Victor says it is unrealistic at this point to expect design and contract details to be addressed and construction to be completed prior to spring break. Victor advocates making the project a fall one, when the greatest chance of rain free days historically increases the odds of timely completion of the project, which is why most roofing projects get on schedule of contract managers and roofers who sign contracts in the spring for early fall construction. This past fall and current year major El Nino rains have been and continue to be a problem for roofing projects now. The pool will be need to be closed more than 8 days total, but Ameritech offered that on weekends perhaps they could secure their work site so the pool

could be opened on weekends during the construction. Ameritech's bid specifies a 90 day window, but that in reality will take probably four months +, depending on weather and the size of the crews put on the job. Owner Carol Wilhelm prefers that the work be done in the fall to avoid losing rentals due to pool closure in the spring. Mr. Bowman indicates that September October and November are typically the most rain free months. Discussion was had about owner who has been impacted by roof leaks in 806E. Already has fixed damage twice. Discussed possibility of replacing roof over that unit first.

3. **Discussion and possible action to determine if Mansard Roof Repair would or would not constitute a "material alteration or substantial addition" to the common elements as defined by Section 718.113(2) of the Florida Condominium Act.** Mr. Bowman opined that an owner vote would be preferable; recommends conferring with an attorney. Gene Christian would prefer to avoid a vote since owners gave approval to proceed with roofing project and roofing committee recommendations at the October board meeting. Some owners might object just because of potential pool closure. Jerry Carpenter – noted that neither AV nor any roofing vendors can replicate the exact current roof design that is up there now, and Mr. Bowman agreed that was not possible. Richard Dowdy – proposal is already old, worried about putting this off may lead to a price increase from manufacturer and passed on via Ameritech. Chris Prue argues in favor of vote. Dianne Allen said get legal counsel opinion.
 - a. Chris Prue makes motion that the board seek legal advice re whether this roofing change is a material alteration or substantial change, and if so help drafting ballot to send to owners
 - i. Hile yes, Christian no, Dowdy no, Prue yes, Carpenter abstain-motion failed for lack of majority vote.
 - b. Thomas Hildebrandt commented that Mr. Bowman prefers folded seam vs. snap lock that we do not know exact roofing material involved. Gene Christian: disregard recommendation of committee, who already specified product and selected contractor? Richard Dowdy: owners trusted the committee; agree with voting on color, but layman does not necessarily know what they are looking at, concerned about timeframe and budgetary problems. Roofing vendor will likely not continue to hold the price, going a year past their original quote. Jerry Carpenter: 84 different opinions, most will likely not notice the difference. Wouldn't be against getting a legal counsel opinion. Gene Christian: if we had owner vote, probably would not delay project due to 6 week time frame for ordering panels and time to negotiate contract. Julie Hile: Not realistic to complete project before spring break. Like idea of starting in fall, but owner at 806E should not have to wait until fall. Idea of replacing mansard over 806E as test case. Gene Christian: Will cost us more to complete a test/sample mansard, but we can photograph it and send out to owners for vote. Owner – Q-why use architect? Contractor has done other projects without supervision. Richard Dowdy: Need to look at other options besides Victor Bowman as project manager.
 - c. Motion by Gene to table action to seek legal opinion as to material modification issue. Jerry seconded.
 - i. Chris: is this proper order?

ii. Vote-Hile yes, Christian yes, Dowdy yes, Carpenter yes, Prue no

4. Discussion and action to determine vendor for metal roof replacement contract/construction management including contract requirements and conditions.

Presentation tonight from V. Bowman, quoted \$30K. 2 Others potential project managers gave quotes as well as were distributed via email by Julie Hile in November 2015. Gene: Like idea of paying \$5,000 upfront in drafting plan. If it is a package deal, concerned about it. Julie: will have to look at stucco repair and other issues not included in contract. Richard: roofers had to have figured in some cost in bid to transition to stucco where metal meets stucco. Comfortable with Ameritech. Chris: small test would be helpful. Gene: hope to save on manager's contract to finance test portion. Chris: this vendor was the only one that would be there daily. If we skimp anywhere, don't skimp on the roof (and its project management). Julie: don't want to get in same situation as has occurred repeatedly before, of paying for something with an alleged warranty that never pays when the time comes, and vendor performance lags behind in timing and quality of money paid to vendor by the association. Very favorable impression of Ameritech, but the board members do not have the expertise to make sure installation is done right.

a. Motion by Richard to table and speak with other vendors. Chris: how does this help speed things along? Richard: we have agreed with Ameritech and this project is going to go into the fall. Due diligence to speak with others. Don't need to skimp on install, inspection, and warranty certification. Not comfortable with pricing. Chris: decide first regarding contract manager person. Jerry: did not like how Bowman's technical spec revisions could easily result in having to negotiate a new contract price to include revisions by Bowman to installation or product specs.

i. Hile: no, Prue: no, Carpenter: yes, Dowdy: yes, Christian: yes

ii. Motion to table carries 3-2

5. Discussion and possible action calling for a vote of the owners, in the event that the mansard roof replacement would be considered a material alteration or substantial addition, to approve/disapprove a material alteration to the common elements of the Aquavista Condominium for the planned repairs to the mansard roof.

a. Gene: motion to table. Passed unanimously.

6. Discussion and possible action to determine vendor for metal roof replacement and to execute contract for replacement of mansard roof.

a. Richard: don't enter in contract bypassing the construction manager/engineer. Chris: Extra 15k (Bowman higher other bid prices) is probably worth it considering how much more time and detail he puts into the project management vs. the other 2 bidders who proposed spending far less time on site.

b. Motion to table by Julie. Seconded by Chris.

i. Unanimous yes.

c. In preparation for next meeting, ask Victor to break down into design and oversight portion. Ask Ameritech for cost of mock up over 806E to be done ASAP.

7. Discussion and possible action to award and execute beach services contract with Aquatic Adventures or other provider for 2016.

- a. Chris: Reached out to three other vendors, one did not respond, one declined, one responded and but has not given proposal yet. Will speak with Aquatic Adventures. Probably would still be best bet for price. Recommend contract because we are a smaller community, but want to reach out to them about level of service concerns. Gene: beach services are mentioned in the survey (later it was determined that was not accurate-not on owners survey). May want to take survey into account. Chris: most beach service contracts are signed in January, and owners are seeking to get contract for seasonal rental.
 - b. Gene: Motion to give Chris authority to enter into contract with Aquatic Adventures. Julie: seconded.
 - i. Unanimously approved.
- 8. Discussion and possible action to adopt and ratify the execution of insurance coverage for Aquavista with Acentria, Inc. for D & O, Umbrella, EDP, Property and General Liability policies.**
- a. Julie made motion to adopt and ratify. Jerry seconded.
 - b. Why switch? Save \$7700 on 2016 premiums quotes versus other quote received over Christmas break from agent Hall, and already receiving a higher level of service and responsiveness. Gene will post Acentria's proposal that outlines coverage on association web site.
 - c. Unanimously approved.
- 9. Discussion and possible action to execute agreement for auditing services with Curtis L. Chastain, CPA, for the calendar year 2015.**
- a. Gene and Julie in favor of keeping institutional knowledge. If association keeps same CPA firm, a benefit is that the same CPA who audited last year can prepare comparative report with previous year.
 - b. Julie makes motion to move forward with Curtis Chastain's firm Tipton Marler. \$8000-\$10,000 cost including tax return prep. Seconded.
 - c. Unanimously approved.

Reports of Officers or Committees, or Management

10. President's report

- a. **Claim-status-against the roofing system warranty with the manufacturer (GACO Western) and applicator (SPF Systems, Inc.) of the SPF roofing system.**
 - i. President of SPF stated he will look at water bubble on east roof. Moving forward.
- b. **Certification by Board Members of training/knowledge on Board membership and duties.**
 - i. Discussed
- c. **Status Report on Pool Repairs**
 - i. Wiring problem in motor fixed. Repair of PVC will be done quickly. Pool heater problem was caused by fuses. Hard to find; ordered extra fuses. Charles thinks one of the burners inside is running too hot, causing the fuse to blow.

d. Status Report on Elevator Repairs

- i. Bagby car jerking problem on east side under repair at no additional expense because this repair is covered by the regular maintenance contract. Kone elevators to be shut down for other repair/s to both Kones: A new door on west tower Kone, new framing for door on east Tower Kone.

e. Status Report on Balcony Repairs/Warranty work

- i. Gene spoke with Valcourt who is sending area manager to AV. Hope to have them arrive tomorrow or Monday to look at performing warranty work.

11. Treasurer's report

- a. **Financial Reports** – Operating cash balance better than before, still have high accounts receivable. Accounts payable of 56k. Debbie to send 2015 YTD vs. budget. 2015 YTD vs. 2014 YTD – will discuss at next meeting. Discussed slow pay units. Richard: send a demand letter. Gene: some need to be reminded of what they owe. Julie: requested copy of demand letter. Accounts payable of 56k dropped to 48k on January 7. Still owe money from December, should be able to pay now, but then not able to pay Q1 bills.
 - i. Discussed getting \$1,000 prepaid credit card. We have a credit card account with Home Depot, but this new prepaid card would be for other vendor online purchases, etc.
 - ii. Going to send demand letter to delinquents. Currently about \$30k in delinquencies. May send to collection agency.

12. Communication Committee report

- a. **Report on Surveys** – Starting to receive surveys
- b. **Assigning Administrator Privileges to Communication Chair for Website** – Chris to be assigned administrator privileges

Motion made to adjourn. Seconded and approved unanimously. Meeting adjourned at 8:15 pm.