

Tangerine Bay Club Association Inc.,

A Not-For-Profit Corporation

Minutes of The Meeting of The Board of Directors

Wednesday, Feb 1, 2023

A scheduled meeting of the Board of Directors was held via the Zoom online platform on February 1, 2023

The meeting was called to order at 2:02 pm by the President, Clare Villari. Clare stated that no one had provided advance notice of their intent to record the meeting. The Association announced the meeting would not be recorded.

A quorum was established. All Board Members except for Andy Schaer were present in the online meeting along with General Manager Michael Canacari.

Proof of notice was posted per Association Bylaws and Florida Statutes 718.

Board Actions:

1. **Minutes of prior scheduled meetings** – no comments. **Motion to approve minutes** for November 2022 meeting made by Dave and seconded by Mike. All Approved. Michael will post. **Motion to approve minutes** of Jan 25 meeting re: Casualty Remediation Policy and Roof Replacement Project made by Jim and seconded by Dave. All approved. **Motion to approve Jan 25 minutes** regarding Storm Recovery Special Assessment made by Jim and seconded by Dave. All approved. Minutes to be posted.
2. **BSA Compliance Work** – Clare provided a history of the BSA and the requirements with compliance required by Dec 31, 2024. The three primary compliance requirements are:
 - 1 - Mandatory Milestone Inspections of the TBC Buildings -- There are two phases:
Phase 1 is a visual inspection.
Phase 2, to determine if building is structurally sound, is required if “substantial structural deterioration” is found in Phase 1. Phase 2 involves destructive or non-destructive testing to confirm a building is structurally sound followed by a specific remediation program for repairs to commence within a year.
 - 2 - A Structural Integrity Reserve Study (SIRS) is required to be conducted by an FL-licensed structural engineer by Dec 31, 2024, and every 10 years thereafter. Associations are required to fully fund their Reserve Fund to the level indicated by their SIRS.
 - 3 - Effective Dec 31, 2024, borrowing monies from a Reserve Fund will be prohibited

Board Contract Approval – GM Michael has obtained bids from 2 structural engineering firms to conduct the Mandatory Milestone Phase 1 Inspection and the SIRS. The Board has reviewed the proposed contracts from Florida Structural Forensics (FLSF) for the Milestone Inspection and Staebler Consultants for the SIRS. Each has a strong reputation and a long list of condo association references. Their proposed contracts are for \$10K for the Phase 1 Milestone Inspection and \$6.5K for the SIRS. The total of \$16.5K represents savings to TBC of \$22.2K vs initial estimates. The budget included a \$30k placeholder.

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Motion to approve contracts with Florida Structural Forensics and Staebler Consultants to conduct a Phase 1 Milestone Inspection and a Structural Integrity Reserve Study, respectively, in compliance with the Florida Building Safety Act made by Mike and seconded by Karen. Approved.

- 3. Fitness Room Protocol** -- Our current protocol for use of the Fitness Room has been in place since the Fitness Room reopened in fall 2021 after its closure during the height of Covid. We have received a written request from an Owner to permit resident guests to use the Fitness Room beginning at 5:00pm each day. Guests would be subject to the same protocols as Owners.

Based on a review of the usage logs, the Board's unanimous view is to permit resident guests to use the Fitness Room beginning at 3:00 pm each day, by advance reservation, as it would not interfere with Owners' use of the Fitness Room.

Motion to amend the protocol for use of the Fitness Room to permit use by resident guests of Owners, by advance reservation, beginning at 3:00 pm each day made by Dave and seconded by Karen. All approved. Proposed change will be posted for 30 days for owner review.

- 4. Update on Rathbun Unit Foreclosure** -- The delinquency on Unit 312 in Building 360 stands at \$58K before the \$15K SA just approved, which will bring it to \$73K. We are far along in the legal steps leading to a Foreclosure Sale, with the Owner being notified every step along the way, and still, there is no response. The next step is to file a Motion for Final Default Judgment in Sarasota Court. If the Final Default Judgment is granted – we expect it will be - the final step will be an online auction orchestrated by the Clerk of the Court. TBC will be paid by the Court what it is owed from the auction proceeds.

- 5. BBQ Grills and Electric Vehicle (EV) Chargers** – Two new issues that our community must address, both imposed upon us by state and/or local government. Both of which have implications for not only the price of TBC's property insurance but also IF our Association would be selected for insurance.

- 1.** We have received from our primary insurance carrier a "recommendation" that the use of all BBQ grills/open flame devices be prohibited on decks, balconies, patios, porches, or any other location within 10ft of a building. The recommendation is based on standards from the National Fire Protection Association (NFPA). Further, the Town of LBK and Sarasota County are scheduled to adopt this NFPA standard in 2023. There are two exceptions: one is an electric grill of a certain size and the other is for a stationary BBQ. GM Michael and a small committee of owners are exploring product options that comply with the NFPA standards. The Board recognizes the importance of this issue to owners.

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2. Florida Statute 718 (The Condominium Act) requires that owners be allowed to install and use an EV charger within the boundaries of the unit's Limited Common Element parking area. An association can adopt specific requirements for installment, but the cost of installation, operation, maintenance, and repair is for an owner, and the EV charger must be metered with a unit's electrical panel. Further, an owner must carry hazard and liability insurance for the charger. TBC's Rules & Regulations mirror the provisions of FL 718. A committee of owners will be created to study the impact of EVs on TBC and develop a path forward for review with the Board and all owners.

6. Open Discussion/owner questions - Tennis court resurfacing continues to progress, the kayak landings were extended and there continues to be landscaping work to done post lan. Windows and awnings will be cleaned. The pickleball court will be painted, the timing is unclear. Input on pickleball court resurfacing will be gathered from pickleball players, the ultimate decision will be handled consistent with other TBC amenities.

Kasdin Lawsuit – Deposition took place on 1/24 and it was a good day for TBC. Court-mandated mediation to be scheduled for March. TBC remains open to settlement, the Kasdins can come forward at any time.

No further questions from owners.

Motion to adjourn meeting made by Karen seconded by Dave. The meeting adjourned at 3:33 pm.

Jeff Spalter, Secretary, Tangerine Bay Club Association Inc. Board of Directors