

The Summit Owners Association, Inc.

Board of Directors Meeting

May 18, 2024, 10:00AM. CDT

8743 Thomas Dr. Panama City Beach, FL 32408

In the Owner's Lounge and by remote

MINUTES

Board Members Present: Stacy Peery, President

Board Members Present by Tele/video conference

Patrick Wood, Vice-President

Gary Plunkett, Treasurer

Joy Cohen, Secretary (joined at 9:05AM due to internet issues)

Lisa Grayson, Director

Chad Nichols, Director

John Shebel

Dennis Wallace, Director

General Manager attending: Claire Durham, CAM – GM

Owners Present: Chantele Coleman Unit 230, John Carmichael Unit 632, Thomas Stott Unit 830, Jimmy Carbine Unit 1119, Cheryl Dismuke Unit 130, Mark Henderson Unit 707, and Mark Peery Unit 102

1. Call to Order:

The meeting was called to order by Stacy Peery at 9:01 AM

2. Roll Call/Establishment of a Quorum

Having eight (8) of eight (8) Board members present, a quorum was established.

3. Proof of Notice of Meeting:

Notice was given to all Board members and posted on property more than 48 hours prior to the meeting.

4. Approval of Minutes

a. **Feb 16, 2024** – tabled as they are not ready. Lisa Grayson pointed out that there have been no minutes posted on owners website since November. She suggested hiring someone to run the website and make it more user friendly.

b. **April 23, 2024**– John Shebel made a motion to accept the minutes as submitted. Seconded by Gary Plunkett. The motion passed by a roll call vote as follows:

Gary Plunkett	yes
John Shebel	yes
Dennis Wallace	yes
Patrick Wood	yes
Chad Nichols	yes
Lisa Grayson	Abstain because she can't read the document
Stacy Peery	yes
Joy Cohen	yes

Lisa asked that this meeting be recorded. Recording started at 9:11AM

5. Reports

- a. General Manager: Claire Durham reported on the multiple items including
- i. Night Swim Permit: The pool is currently closed for night swimming. We are awaiting the photometric survey brightness test report. Director Lisa Grayson was present at the inspection and was asked to give an update. Director Lisa Grayson responded that she didn't think that it was in the best interest to speak of it before she had a chance to discuss it with GM.
- SS

The survey took 3 hours; GM Claire Durham has not heard anything from them after asking them to give her an update for this meeting. The vendor has indicated that some areas may not pass the photometric survey. The Board did receive a lighting plan from another company prior to this survey. GM Claire Durham has made provisions to get that fixture replaced on the three 30-foot light poles so in the future all that would be needed to use them would wire it.

1. President Stacy Peery brought up that a lot of owners want to discuss taking a vote to open up the pool. Director Chad Nichols also suggests submitting an application for exemption with the lighting plan and tell them that we are working on it to see if they would make an exception in the meantime. These exemption applications are available. Director Chad Nichols clarified that he is not suggesting to grandfather in, he is suggesting a temporary exemption status based on the information that we are working toward making the improvements necessary. Director Dennis Wallace states that he and President Stacy Peery read over all the ordinances and there actually was something in it about grandfathering. This permit is not tied together with turtle lighting. Director Chad Nichols was asked if he would like to be on the phone call on Monday with Director Dennis Wallace, GM Claire Durham, and President Stacy Peery with the night swim permit people? Director Chad Nichols stated that he is good either way. Director John Shebel wants to know what we are using for the definition of sunset? GM Claire Durham states staff is going off the Floridahealth.gov website, which defines the time for pool closure as 30 minutes before SUNSET. Director John Shebel provided a definition of sunset from Webster's dictionary. Director Dennis had a different definition, and the realization is that these definitions are all over the map.

2. The question was asked if the board wants to entertain Vice-President Patrick Wood said because if we open the pool knowing that we are not approved our insurance will not cover in the event there is an issue. Director Chad Nichols inquired as to why we aren't worried about the trip hazard. The response was that we are and this is actually on the agenda. Director Dennis Wallace has a hard time directly violating an ordinance. If something happens our insurance company will drop us. He would like to have nighttime swimming but we cannot in view of the ordinance. In a court of law, it would be a big issue. Treasurer Gary Plunkett agrees with Director Dennis Wallace as far as insurance implications. Director Chad Nichols agrees, although even with a permit if something happens it does not release us of liability. Secretary Joy Cohen agrees that it would not be fiscally responsible to open the pool without a permit. Director John Shebel agrees that we should not violate the ordinance. Maybe we can find a reasonable sunset definition and then stick with a designated definition. Director Lisa Grayson agrees. President Stacy Peery asks that it stopped being posted on Social Media that President Stacy Peery and General Manager Claire Durham are responsible for keeping the pool closed at night since the whole board agreed that we should keep the pool closed if we do not have a night time permit. Director Lisa Grayson stated that what has been posted is that the initial decision was made by GM Claire Durham and President Stacy Peery.

3. GM Claire Durham responded to a chat message that she should have been present at the photometric survey. GM Claire Durham explained that she did not need to be present at the photometric survey, as she had already talked to them several times. She expressed appreciation for Director Lisa Grayson being present

ii. Pavers are a liability. We have proposals from Prestige, American Sands etc, and we are still trying to get an answer about a site visit. The proposals are for \$18,000 and \$32,700. Our association policy states that the GM can spend up to \$20,000 and this does fall in the reserve expenses. Treasurer Gary Plunkett states that the 32K is actually much more reasonable on a square foot basis. Treasurer Gary Plunkett suggests that GM Claire Durham walk the property and make the decision. Director Dennis Wallace asks what the structural issue is here. Are they on just beach sand? Director Chad Nichols states it is a hodgepodge, some are over concrete and some are over sand. Director Dennis Wallace is concerned that this will be an ongoing issue and continue to need repair unless we start from scratch. Director John Shebel requests that we have a board meeting to discuss the proposals. Director Chad Nichols agrees with Treasurer Gary Plunkett that the Kilgore proposal is a much better deal per square foot. He would like apple to apples on these quotes as far as the same area being quoted.

iii. Laundry rooms mini-split System: System services and engineering pulled the area on the west end. GM Claire Durham requested help once the system is installed to assess the space and decide what equipment/machines we want. Director John Shebel states he has provided prices from a company on laundry equipment and will resend this to GM Claire Durham. He mentioned that machines can be coin operated or be supplied with a card, however a card swipe would need to be hooked up with communication. The laundry room had been closed down until C-Sharpe came in to address the active leaks. Currently there does not appear to be any active leaks. We want to do mini split system but we need permits. The install of electrical is completed. We need a deep clean, fresh paint and new machines. Then we will do the same thing in the East Laundry room. Director Dennis Wallace likes the idea of credit card option or change machine. He wants new machines that match. GM Claire Durham states there is a change machine in the vending area. Director Dennis Wallace asks if there is signage in the laundry room-notifying guests about the change machine. Director Lisa Grayson comments that using credit cards in the machines have an extra fee, so be wary of using credit cards.

iv. Building Envelope Update: There is information that has been misperceived. After Hurricane Michael we received a new roof- TPO the white part. We have been going back and forth with the TPO people. During the last rainstorms GM Claire Durham has taken videos. There are yellow walking pads, and some of these walking pads have absorbed water, on top of the TPO, like a water balloon. There are no active roof leaks into condos. The walking pads are not under warranty. GM Claire Durham has asked for a quote to reseal these walking pads. There are also areas of concern for the building stucco on the east and west sides. They were not able to address some of the stucco pieces. There is a quote from our construction for \$9000. These areas are on the milestone inspection report. C -Sharpe took their drone and surveyed the roof, stucco on 7th floor east wall and stucco on the south side of the property. There were 2 areas of concern over the roof. There is also an east Maids closet. We are awaiting a quote form C- Sharpe. We also asked quotes from companies for the south side (pool side). Treasurer Gary Plunkett wants to give some numbers- we budgeted 20K for laundry rooms. We have 29K for walkways and carpet. We have 318K for major building repairs but only spent 200+K. We did budget for things to get fixed. Director Chad Nichols asked for clarification of the painting on these quotes. He wants to make sure we understand what the expectation is. He would hate to spend money and not stop water intrusion issues. We need to know what the proper expectation is once the work is complete if there is water intrusion. Will they take responsibility? Director Dennis Wallace mentions the windows that have failed seals on the east side of the building were replaced by Restore 1, some have lost their seals between the panes of glass, but they may not be under warranty anymore. Those windows would have to be replaced by the owners on their dime. There was a question from owner Rodney what the manufacture warranty is on these windows.

v. Milestone Inspection Report- is on the owner's website. There are a number of items, which have different timelines. We are looking pretty good. Several windows on the first-floor need work. We have contacted window world. We will ask if they would like to submit a bid. Director Dennis Wallace, and Director John Shebel, President Stacy Peery, Vice-President Patrick Wood and GM Claire Durham have been helping. We will set up weekly calls. Director Dennis Wallace discussed having Window World look at windows on the East side. Maybe the association should buy material and bid out labor for the balcony project. Which items do we need engineer scope of work on? Treasurer Gary Plunkett wants to add on ideas of the projected cost of balcony tiles. This is major. Our 2-year window will fall Feb 2026. It takes time to complete and costly.

vi. Current and Upcoming Projects

1. Landscaping: some of flowerbeds are brown. The process is killing weeds and getting nutrients. It will be coming back.
2. Electrical room doors with C- Sharpe-The previous doors had vents. Do we have the right doors and enough airflow? The doors installed were impact doors- this was what was on the scope of work. The Milestone report was created after the scope of work. 2 areas do have exhaust fans but one is not working. Our Staff wants to see if we can get it subbed out, as they are busy.
3. Insurance Is high due to our liability cases. Risk assessment is free and not shared with insurance company. One of the issues is the pavers.
4. Dennis stated Electrical engineer to look at the Switching?

vii. Budget with regards to Milestone Inspection: see above comments by Treasurer Gary Plunkett

viii. Owners:

1. Have we looked into a company running the laundry room? Secretary Joy Cohen and Director Dennis Wallace recalled that we have already discussed this, more profit to run in house.
2. First floor units are flooding; we need to clean the drains out. In the last rain, four units flooded on the first floor. We did spend money in the past to blow the drains out. Did they clean both drains? Someone thought we used Frank Wood in the past. The drains go to the beach- get filled with sand.
3. Director Lisa Grayson asked if the EOI was posted on the owner's website. President Stacy Peery checked and found EOI directions for obtaining proof of insurance are posted on the website.

b. **Financial Report:** Treasurer Gary Plunkett gave a financial report, which included major building repair reserve and operating account as well as timeshare operating and reserve.

i. We will be battling keeping the reserves funded as we do all the repairs.

ii. Vending payments to us in installments

iii. Lighting on deck pending some items

6. **Old Business**

a. Vendor Updates

- i. C-Sharpe : worked on project with Director Chad Nichols. They have received their final payment. They are interested in continuing a relationship. They are familiar with our building including age and what it looks like underneath the stucco.
- ii. Cavinder: GM Claire Durham requested to have an in-writing update. They are 2 weeks behind, now due to be completed at the beginning of June. Interior of cab to be addressed within 2 weeks. Cladding was discussed.
 1. Elevator 1 shut down because water is getting in under the elevator doors. There are some pumps within the elevator base. Electricians did come out and water proof. Even though they are water sealed there are things getting wet. The floors outside the elevator could be leveled but that is very difficult. Another option is to identify which floors are trouble and see if we can grind the areas and provide new coating.
- iii. Window World: Inspection is being completed. A building inspection will be done. Once they receive their final payment owners will be able to contact them about the warranty. We are currently in workmanship phase, not warranty. Punch list mentioned. Director Dennis Wallace wants to be clear about warranties. The windows on the East End were put in by Restore 1, correct? GM Claire Durham will look into that. Director Lisa Grayson wants to know how Individual owners can find out if they are still on list to be taken care of. GM Claire Durham states to send her an email if the inspection has already been completed and there are still issues.
 - b. Forms: President Stacy Peery wants board to review these and send comments or she will just work on them with GM Claire Durham and present them to the board for a vote. She does not want to take up time reviewing every form at the meeting. She wants it all compiled so we can move forward in an organized manner.
- i. Association Rule Policy: Sent out May 8, 2024 and prior to that. No comments from Board members
- ii. Request for Modification and/or Alteration to Unit Form Policy: Sent out May 8, 2024 and prior to that as well. No comments from board members. We need a clear process for owners. Can Director John Shebel help with this? He responded yes.
- iii. Armband Policy sent out May 8, 2024 and no comments from Board Members via email.
- iv. Owner's Lounge Policy sent out May 8, 2024 and no comments from Board Members via email
- v. Association Parking Policy sent out May 8, 2024 and no comments from Board Members via email
- vi. Trailer Registration Request Form sent out and comments submitted from Directors Dennis Wallace and Treasurer Gary Plunkett
- vii. Official Request Form-Treasurer Gary Plunkett and President Stacy have worked on this but not received comments via email from other board members.
 - c. Contracts and RFPs Needed
 - i. Storage Closet Lease Agreement (for closets only- does not include the first-floor area)
 1. We have 3 being reviewed. How does the board want to handle this? Try to work with Director Lisa Grayson to compile and formulate friendly forms. President Stacy Peery would like to get to a good spot so these don't have to be revisited in the future. The verbal agreements have been extended since December. The space is 13ft x7ft and the Firedog equipment is in these closets. There are some closets empty after people moved out because we are waiting on forms. Some of them have a water source in the middle and some do not. Current cost is \$50. Director Lisa Grayson is concerned that we are losing money. GM Claire Durham stated that there is a list of people interested.
 2. Treasurer Gary Plunkett made a motion to accept the storage closet lease agreement that we currently have that is part of the Board of Directors Packet. Director Chad Nichols seconded the motion. GM Claire Durham points out that there are 2, one that Director Lisa Grayson has modified with minor changes. Director Lisa Grayson pointed out her changes, one being that she wants to notify the tenant that they are responsible for renters' insurance instead of having them show proof and documentation. If two people are using the space they both need to sign the agreement. We don't want to be in a position where owners are subletting the space. Director Lisa Grayson thinks these needs to be incorporated in the form, and she is willing to help with this. Director Dennis Wallace is in favor of making it month to month until we can get the final lease agreement made. The Association should not assume any risk for lost items. Treasurer Gary Plunkett withdrew his motion on the table in order to reword it and Director Chad Nichols withdrew his second. Treasurer Gary Plunkett made a motion to approve the current storage closet lease agreement to utilize for the next 60 days, Director John Shebel seconds the motion. Director Lisa Grayson wants clarification on the motion- are we going to have everyone including those who are already renting the space, sign these agreements or only do this for new rentals. Clarification was given that this applies to all people leasing space. GM Claire Durham asked if digital signatures would be alright and President Stacy Peery responded yes. This gives up 60 days to work on a new form. A question was asked about the status of the closets, the response was that there are about 13 closets in total with about 3-4 empty and a few rented by timeshare.

ii. 1st floor Commercial Space-RFP: This space currently has a verbal agreement and the Association has received the May rental. We do not have a signed contract. It does have water, electric and AC. Director John Shebel states it should be treated just as a storage unit and we can use the same document as the other storage closets. He pointed out that there are no windows. Clarification was given by GM Claire Durham that this particular space was used as a commercial space in the past. It has been designated as a Utility space in the documents but it has been used as a commercial space with water, electric and AC. Secretary Joy Cohen confirmed that her storage closet is not climate controlled and does not have water. In addition, she recalls that this space on the first floor had been used in past by a commercial laundry service. Director Chad Nichols made a suggestion to put the 2 places out to bid in a sealed bid and opened up at a public meeting. Director Lisa Grayson made a motion to have the current first floor space tenant sign a month-to-month lease using the current form for the current price of \$250/month, until we put it out for bid or have a new form. Treasurer Joy Cohen pointed out that in its current form this motion would allow the rental to possibly go on indefinitely even for months or years. Director Lisa Grayson withdraws the motion. Director John Shebel suggests allowing the tenant of the first-floor space to stay through the end of August 2024. Director John Shebel then stated he would like to make the same motion as Director Lisa Grayson but wanted to add an end date of Aug 31, 2024. Thus, the new motion would read as follows: Have the current first floor space tenant be allowed to sign a month-to-month lease using the current form for the current price of \$250/month, until August 31, 2024. Treasurer Gary Plunkett seconded this new motion. The motion passed with a roll call vote as follows:

Dennis Wallace	yes
Lisa Grayson	yes
Chad Nichols	yes
Patrick Wood	yes
Gary Plunkett	yes
John Shebel	yes
Joy Cohen	yes
Stacy Peery	no

iii. Student Breaks Commercial Space-RFP

President Stacy Peery stated that at the end of last meeting one of the board members asked to revisit the Student Breaks Contract. Student Breaks had sent in a request to do an extension on the lease. Director John Shebel stated that this was already voted on. Director Lisa Grayson wants to make a motion not to readdress this. Treasurer Gary Plunkett asked if this is on agenda and the response was yes. There was a question of who is going to work on creating the RFP, regardless of the space. Director John Shebel stated that he will help out.

Director John Shebel made a motion that we formulate an RFP for both commercial spaces to put out for sealed bids.

Director John Shebel then rephrased this motion to develop an RFP that will involve sealed bids to be given to the attorney and to be opened up at a meeting- the first-floor commercial space and the west space. Director Chad Nichols seconded this motion. There was no discussion. The motion passed with a roll call vote as follows:

Dennis Wallace	yes
Gary Plunkett	yes
Patrick Wood	yes
Lisa Grayson	yes
Chad Nichols	yes
John Shebel	yes
Joy Cohen	yes
Stacy Peery	abstained on the basis of conflict of interest

d. Timeshare Division: GM Claire Durham stated they are having a meeting on Monday with vice-president Patrick Wood and Treasurer Gary Plunkett. They are working with the timeshare division, timeshare attorney and consulting other properties about what the options are. Treasurer Gary Plunkett stated that the division is hemorrhaging money, almost to the point where we will be struggling to pay the bills. Director Lisa Grayson asked if we plan to have an attorney present and the response was yes. President Stacy Peery said that last year there was a proposal presented to the Board by the timeshare committee but the Board of directors voted it down, and now we are essentially at ground zero, so we need to regroup. Director Lisa Grayson stated that she still has lots of questions and is not sure that having the 3 of them (GM Claire Durham, VP Patrick Wood and Treasurer Gary Plunkett) meet with the attorney and go to the board is satisfactory. President Stacy Peery clarified that this is not the case; the whole board can attend a meeting with the

attorney. Director Dennis Wallace asked that the timeshares in default is an attorney question. Owner Mark Peery stated that if they had accepted the proposal, he would have already paid \$140,000 on the timeshare units. Director Lisa Grayson then asked if we were making money on the weeks that the Summit owns. She inquires if the ones returned to the Summit are y in the SOA or Timeshare name. The answer was that the Association is the deeded owner and we do not rent them. GM Claire Durham stated that we are working on having someone to rent these out and this will be discussed at the next meeting. Director Lisa Grayson then asked if those units are just sitting there unused? GM Claire Durham responded yes. Director Lisa Grayson stated that in the past years we have rented them out. GM Claire Durham states it is being investigated. Director Lisa Grayson then added that she heard from "others" that we were renting these at some point, so why would we stop renting them and leave money sitting on the table. GM Claire Durham explained that the SOA is not a managing partner of the Timeshare division. GM Claire Durham stated that she will give the history and information on the Timeshare division at a future meeting.

7. **New Business**

a. 2024 2nd quarter Board Discussion

i. Insurance risks, liability, current law suit

b. Some associations create a social media policy. Sometimes comments made on a website can impact the association and put them at risk. We need to make sure we are protecting our assessment and the community from a board standpoint and commentary. Should we set up a meeting with Attorney Tim Sloan to go over this information as well as the risk assessment? There were no objections.

c. John: Time to shine.

8. **OWNER Comments, Concerns and Discussion**

a. **Nothing further was discussed**

9. **Adjournment:**

Treasurer Gary Plunkett made a motion to adjourn. Seconded by Secretary Joy Cohen. Unanimous. The meeting adjourned at 12:09 AM.

Respectfully Submitted,
Secretary
Joy E. Cohen

Date