

Important Notices are posted at the end of this eBlast.

Here is your 12/5/2022 Recovery Update:

Individual Construction Updates:

- Getting HBBC back in order is a big job! There are so many tasks that the folks at ADU need to get done. Managing upwards of 65 workers a day in 102 units is hard to imagine. We can help them by keeping interruptions to a minimum. Please do not call, text, or email **onsite staff**. Instead, submit all requests for ADU administration via the email hideaways@alldryusa.com.
- Before you send an email check the picture link that you were given to see if new individual unit pictures are available for you. Remember that it only loads fifty pictures at a time. You will need to go to the bottom of the page and click on Load More to access the next fifty photos.
- Taking the photos and uploading them is another big job. All of the demolition pictures should be online by the end of this week. Check back then if your completed demolition pictures are still not uploaded.

Is HBBC open to habitation?

- The board met in November to discuss whether the association should be closed down to habitation during the reconstruction effort. Questions were posed and the board tabled a decision until we could get advise from the contractor and our general counsel. One unanswered question was exactly how many units are damaged to the point that causes them to be uninhabitable. Demolition was not complete then, but it is now. It turns out that **only seven units** have enough drywall left so that they are completely closed to any neighboring units. The damage in some units is so extensive that you can move from one unit to another to another to another without exiting the building.
- Someone at the meeting challenged the board's ability to act by citing Florida Statutes 720.316(3)b and 718.1265(3)b based on advise she received from FEMA. That objection was referred to the association's general counsel. We received the following response:

This language appears only to require the Association allow ingress and egress to access a unit for these purposes. The interpretation by the resident that this language somehow takes precedence would render paragraphs (1)(f)-(i) meaningless which was not likely the legislative intent. In my opinion, the statute does not require the Association to permit a tenant to continue to occupy a unit.

- The board continues to take all advise and comment under consideration. It appears that no one is living at HBBC at present except for the caretaker. Owners are making day trips, but are not staying overnight.

Barge Landing:

Rob Hill has not made the scheduled test run to deliver the load of bags of material for the barge landing. We are still waiting for the delivery. One load will not fix the barge landing. Again, this is a test run to see if the idea will work and to give an idea of how much the total job will cost.

Association Docks

- Abbott's Construction has obtained the state level permit to repair the floating dock on the mainland. However, they are still waiting for the county permit. The permit submission was filed months prior to the hurricane. We have not been able to determine yet what the hold up is.
- HBBC staff were able to retrieve the island boat ramp out of the water. It is being evaluated for repair. The insurance policy does not extend to docks or anything over water. The repair or replacement of the ramp will be an expense absorbed by the association.

Citizens Insurance Company:

- The field adjuster report has been submitted to the desk adjuster at Citizens. She is a bit behind, but we are hopeful that she will be releasing some of the payments shortly.

Construction Status from the Board and ADU:

- ADU has completed the demolition phase.
- The ADU field estimator finished documenting all units and is now working on the estimates for interior build outs.
- The roofing materials have been ordered and should be here in about three weeks. The same manufacturer has a much improved product now that is rated for 160 MPH winds instead of the 130 rated shingles that we had. There is about an \$8,000 cost difference, but ADU has offered to absorb the difference. The color is still gray, but will be a bit darker than the present gray.
- ADU is monitoring for any leaks from the roofs. They have determined that the roof vents need to be covered and are responding accordingly.
- We are still waiting for the insurance company and county to give direction on the number of windows and type of windows that will be replaced. Remember that our documents and the State Law address what is the association's obligation is for replacement. Here is the wording from the condominium statutes:
(f) Every property insurance policy issued or renewed on or after January 1, 2009, for the purposes of protecting the condominium must provide primary coverage for:
 - 1. All of the portions of the condominium property as originally installed or replacement of like kind and quality, in accordance with the original plans and specifications.*

We don't have the permits yet, but we think that the county will require impact glass rather than the glass we have now. The only exception to this will be for non-impact glass covered by shutters. We are still waiting to hear from the insurance company on the chance that they will pay for the impact glass. We are also waiting to see how they apply the “matching rule” when it comes to the windows. Will they allow replacement of all windows on the same level regardless of whether they are broken so that all the windows match? It is too soon to tell you how this will play out, but be advised that this is an expense that may require some contribution from the association. ADU is experienced in working with adjusters on claims and is negotiating for the maximum benefit we can get from our insurance policy.

- Unit owners that have contracted individually with ADU and have mold coverage can expect the “deluxe” mold clean up service to be starting soon.
- We are still awaiting the report from the engineer that inspected our buildings. They are checking for any damage that may have been overlooked and will also determine the reasons for the structural failures that we suffered. Most importantly, they will identify steps that we should be taking now to strengthen our buildings. They will also be drawing the plans for the trusses that need to be built.
- ADU has had people out raking and cutting up trees that are in the way. They advise that we will not receive a separate bill for this as they consider it their responsibility. The trees are in the way, and they need to be cut up to allow them access. The debris on the grounds is considered collateral damage for all the demolition and moving of debris that they’re doing.

Annual Owners' Meeting:

The annual owner's meeting has been rescheduled for February 17th, 2023. The required first mailing for the meeting will be sent shortly. That same deadline was missed for the December 2022 meeting because Grande Property Service's office was damaged by Hurricane Ian and they were not able to get the notice out in time. Responding to HBBC storm damage caused further delays.

2023 Dues

The 2023 budget is still under development. The property manager will be ordering a single coupon for January 1, 2023 showing the 2022 dues amount of \$2,178. Any increase in the 2023 dues will be spread evenly over the remaining three quarters.

Pump out of Sewer Plant:

- Palm Island Transit will not be helping us with the barging of solids from our sewer plant. They can't use the HBBC barge landing because the owner docks behind the barge landing doesn't leave enough room for their large barge. They considered coming into the Rum Runner landing that was cut by Florida Power.

However, they wanted \$2,800 per load and wanted HBBC to make expensive repairs to that landing. That price tag was in the \$20,000 range. We are not considering this option.

- NES, the property manager, and the board are hoping to come up with an alternative plan. That hinges on repairs to our barge landing.

Steve Lohr's Caretaker Report For Week of November 20th:

It was another productive week at Hideaway Bay. Myself and the Captains continue to burn vegetation and wood storm debris on a regular basis as well as doing general cleanup of the property. We were able to use the skiff to clean debris from the mangroves which included two boat loads of lumber, plastic, pieces of foam and other debris. Coming out to the property looks much nicer. The remainder of the large wooden signs by the gulf were straightened, secured and repaired. Work was done on the owners dock which included removing all the old low voltage lights from the deck that shine into the water as these were all storm damaged. The large post on the owners dock that houses the camera and lamp was re attached and repaired as well. Trash pickup on the mainland was done over this past weekend which included 4 large black bags full of trash which left the mainland grounds looking much better. Also over this past weekend while ADU was not on the property I was able to get the grass cut on the mainland and the island.

A busy week is ahead. Total Control Termite will be onsite later in the week to assess all the buildings for termites. Looney Electric will be onsite to do some work on the mainland dock to bring all the lights back into service. ADU will be onsite to continue their efforts in the mold remediation and our cleanup and repairs will continue.

Debris Removal:

- The barge rented by ADU arrived late last week. The windy conditions postponed the test run until 12/3/2022. George Pettengill was available for the test run. Here is his report:

The test run for the barge was successful. Tom was able to get it into the landing on the mainland side. That was with an empty barge, and at high tide. We'll have to see how it goes with a load, and a low tide. The round trip took about 70 minutes. It will take longer with a load, or if it's bucking a headwind. Factor in loading and unloading, and best guess is it will take about two and a half hours round trip.

Ferry:

- Gasparilla Marina visited HBBC to give their input on whether or not they concur that the ferry is totaled as was indicated by the marine surveyor hired by our insurance company. The estimate is incomplete and was done with the ferry in the water rather than hauled out. It did not include the damaged canopy.

However, the estimate has given us hope that maybe the ferry can be repaired within the cost limits of our insurance policy. The estimate was for \$63,767.45.

- George is also reaching out to Marine Max. They are more experienced in doing repairs that require Coast Guard documentation.
- Remember, the ferry is insured for actual cash value, not replacement value, just like it is for automobiles. The valuation was made by a different marine surveyor in April of 2022.
- The total of insurance proceeds for the hull and motors is \$81,000 after the \$9,000 deductible is subtracted. The October dues contributions have increased the ferry reserve to \$48,794.23 and the motor reserve to \$27,212.65. The skiff reserve is \$7,112.87, but we are still waiting for the the cost of a used motor purchased for the skiff to come out of reserves. Please note that this is the last reserve deposit into the accounts in 2022.

Fire Sprinkler Systems:

- Just a reminder of the status of the fire sprinkler system:
 - D1, D2, D3, D4, E3, E4, E5, E6, E7, E8, E9, E10, & J8 only have sprinkler protection on the main living floor. There is no coverage of the upper bedroom.
 - J4 is completely non-functional
 - Repairs of damaged pipes will begin when reconstruction of missing roofs is completed.

Happy Holidays!

Many of us look forward each year to enjoying the holidays on the island. Hurricane Ian has taken that from us this year. Keep the memories of past celebrations in your heart and dream of the celebrations that will come again when we are all back together again. Dream really do come true.

The Board

NOTICES

The conditions at HBBC are critical and dangers are present. We strongly encourage owners do not access HBBC until an all clear is given. This is consistent with governmental mandates for public safety. Anyone accessing the property does so at their own risk. HBBC disclaims all liability from resulting injury.

Please consider all of HBBC to be an active construction zone. No overnights stays are recommended.

No one has the authority to bar access to any association contractor to conduct necessary remediation or repairs. The association will pursue legal action against the owner of any unit that bars such access.

Here are the guidelines for using the skiff to access HBBC:

- Only six people will be transported per trip with only what they can carry. No carts will be brought down to the dock.
- Transportation of reasonable amounts of construction materials, generators, and supplies will be allowed.
- Schedule:
 - 8AM from mainland to island only
 - 9:30AM from island to mainland to island
 - 11AM from island to mainland to island
 - 2PM from island to mainland to island
 - 3:30PM from island to mainland to island
 - 5PM from island to mainland only

As always, the captain on call has final say with regards to what can be taken to the island on each trip. We understand that this may cause some inconvenience, but the safety of the passengers, crew and vessel will always take priority. Thank you for your understanding.

Pickup of normal household trash has been suspended until further notice. Please take your household trash to the mainland dumpster instead of the trash bins located behind the buildings.

The swimming pool is closed until further notice.

Emergency Powers Granted to the Board:

- The State of Florida has declared a state of emergency related to Hurricane Ian damages. This status was extended by the governor and remains in force until February 20, 2023.

Important Contact Information:

Ferry Captains-- hbbccaptain@gmail.com

Caretaker--- hbbc2015@yahoo.com

Captain's cell number is 941-763-9547.

Caretaker cell phone—941 699-6015

ADU email-- Hideaways@AllDryUSA.com

Bryan McGeHee, Charlotte County Tax Appraiser's Office-941-623- 1025.

Work Order Forms can be accessed on www.myhideawaybay.com