

Hideaway Bay Beach Association, Inc.
Board of Directors Meeting
February 25, 2017
Minutes

1. Call to Order & Establish a Quorum: Christine Junior called the meeting to order at 10:36 am. at the Hideaway Bay Beach Club.

2. Establish a Quorum: A quorum was established with the following Board Members, Christine Junior and Maria De La Nuez were present. Don Gagnon, Rick Thompson and Greg Holt were present via telephone. Don Gagnon and Greg Holt left the meeting early. Pamela Sizemore represented Star Hospitality Management. Denis Doome was present.

3. Proof of Notice: The meeting notice was posted in accordance with the Bylaws and Florida Statute 718.

4. Approval of Previous Minutes: Maria De Le Neuz made a motion to approve the minutes of January 28, 2017 Board meeting on contingency that #13 be changed as stated by Don Gagnon. Christine Junior seconded and motion carried unanimously.

Unfinished Business:

5. Update From Committees: Don Gagnon would like to thank everyone for volunteering on all of the committees.

Rental Committee Chairperson Cathy Donahoe gave an overview of research that was completed on rentals (report attached).

Document Committee Chairperson Rick Thompson is proposing to the committee members to review all documents and make notes of any changes that they feel need to be corrected and the committee will review with Rick Thompson.

Septic System Chairperson Gretchen Tenk spoke with Jack Boyer(supplies water to the island) and Jack Boyer will contact his accountant to see if he can obtain the information on unit usage per unit. Gretchen will try to meet with Jack Boyer. Jack Boyer is familiar with the septic system at HBBC.

6. Update on WIFI: Don Gagnon reviewed Suncoast Broadband's (Jim Connor) proposal at \$3450.00 to remove the old system and install a new wifi system that is four times more band width and add additional repeaters. The monthly fee would increase for Hideaway to \$450.00. Optional to owners who would want direct service there is a direct connect fee to the owners of \$200.00 a onetime fee to install the service, also a monthly fee at a range of \$34.95 to \$84.95 monthly depending on the service requested by the owner. Don Gagnon also noted owners can request the service to be turned off for a period of 6 months. Don Gagnon made a motion to contract Suncoast Broadband to install the wifi system as stated above. Rick Thompson seconded and the motion carried unanimously.

7. Dock Update: Innovative Marine Service will go to Hideaway to access the dock and give a proposal on replacement or repairing the ferry dock. Possibly IMS might have to dive to check the condition of the pylons. Ez Dock also proposed a ferry dock replacement at \$153,000.00. Don Gagnon researched a company that wraps fiberglass shields around the existing pylons. One of the companies that wraps fiberglass around the pylons are in this local area.

8. **Barge Landing:** Christine Junior and some of the owners are concerned about the commercial use of the barge landing by building A at Hideaway. The barge landing will be tabled at this time and discussed at the next meeting.

9. **Water Conservation:** Christine Junior contacted SW Water Association and they advised her to do an inventory and a survey. Christine Junior will follow up with SW Water Association when her inventory and survey are complete.

10. **Other: Beautification project:** Maria De La Nuez and Christine Junior started the beautification project. The area near the ferry landing and next to building A, between building C and A and beside the gazebo flowers were planted in these areas. Twenty three plants were purchased. The cost for this project was \$284.23. There were 8 volunteers for this project and Maria extends a thank you to all of the volunteers. There are other projects planned for the future.

New Business:

11. **Waste Removal:** The Board discussed waste (furniture) removal and at the next Board meeting Denis Doome will have a solution to store the unwanted furniture so that the waste cannot be seen from the road.
Possibly the unwanted furniture will be stored in the fenced in area near the fuel tank.

12. **Other: Finance Committee** report from Maria De La Nuez proposed saving money discontinuing bottled water service to the island. To discontinue the water deliveries would save about one thousand dollars a year.

13. **Caretaker's Report:** February 2017 weather is wonderful. Red tide is active again. The trees on the beach area are being trimmed at this time at no cost to Hideaway. FPI are on the island trimming to keep the power lines free of trees and replacing 68 poles. The grounds crew members have been trimming around the buildings and small hammocks. Owners are complimenting about the ferry and the beautification project. Hideaway had 556 rental contracts last year. That is probably 90% of the renters. The winter owners made a directory of themselves and there are 74 families in the directory. On Tuesday Scott Sebor will be emptying the digester at the sewage plant.

14. **Other: Sewage Plant:** Rick Thompson made a motion to empty the tanks in the sewage plant. Christine Junior seconded and the motion carried unanimously.

15. **Owner Comments:** An owner noted garbage disposals are a concern for water conservation at HBBC because of the septic plant.
Owner is concerned with the document rewrite strike through.
Owner is concerned the dock needs extensive repair.
Owner is concerned about the wood area where the condensers are located.

16. **Next Board Meeting:** Not determined at this time.

17. **Adjournment:** With no further business to come before the Board, the meeting adjourned at 12:11 pm. Rick Thompson made the motion to adjourn and Christine Junior seconded. The motion carried unanimously.

Cathy

HBBC Board & All in Attendance: Feb. 25, 2017

I am Cathy I-1 Chairman of the Rental Committee. I will base my report on what I have concluded in various group emails from the following committee members: Kari, Orlando, Christine, Jane & myself.

Unanimous consensus that the committee supports HBBC Board going forward asap with researching the water usage per unit. This was agreed upon by the board Jan 28, 2017..The Chairman of that committee Gretchen volunteered to acquire amounts of water usage per condo. It has been recommended by the committee that we study these findings on water usage per condo & then proceed with a proposal to charge those owners using a certain amount over the deemed normal.

The committee also determined that Placida Beach Condo ASSN does pay for part of the expenses on our septic system, but thus far, no exact numbers or contract has surfaced. Connecting with Charlotte County sewer has been discussed, committee not able find out if it is even feasible. Definitely not a viable option for now.

It has been guardedly determined that the peak season at HBBC is January until mid April. Then June & July as well.

The approximate number of rental units have been identified per Capt Denis per Kari.. 61 units are rented, 5 lived in full time...He reports 550 rentals total last year.

The rules & regulations that are already in place require an Agreement between owner & renter.. These forms are on the website.. It is mandatory for owner to provide the renter with this Agreement. Renter then gives it to the Captain on duty before boarding the Ferry. It states on the Agreement, that maximum

occupancy is 6 people per condo. (This occupancy number is for owners as well..)

Cathy suggested that this Renter/Owner Agreement be filed & available for the HBBC Board to review, as well as the rental committee. It is unclear if this Agreement is in compliance by all owners of rentals. From this documentation, a clear & unbiased number will be on file.

One suggestion was a signup sheet as you come on the boardwalk to the ferry for a few months to study numbers of whom is riding the ferry, where they are staying, & how often they ride the ferry while on the island. It would also rectify the concerns that there are people riding the ferry whom are not owners, renters, guests or service people.

Some of the suggestions to cut back on the extra ferry runs during peak season are as follows:

1. Renters are given so many tokens per week to ride the ferry when they turn in their Renter/Owner Agreement
2. Another suggestion made was for all folks that ride the ferry pay a \$2 fee..(I think this failed last winter as was deemed illegal)
3. A index card be given to all renters when they turn in their Renter/Owner Agreement. It would have their dates of arrival & departure, Condo rented ...the renter would get so many punches in the card per week) simple & cheapest route...
4. Change nothing, let all whom chose to board our ferry come aboard & ride it an unlimited amount...

The purpose for all of the above, is to ensure that the required Agreement between owner & renter is in compliance, attempt to slow down expensive ferry runs & police whom is riding our ferry at our expense. It was also mentioned that with the huge number of

renters, coming & going there is no possible way the Captain on duty can keep track of all these people, especially since the Captains rotate throughout the week. Also, the people that come to the island via private boat are required to register on the white board outside the Captains office. These numbers should be included in documentation...Are they owners, renters, guests or possibly freeloaders?

Orlando suggested a voluntary \$25.00 fee from rental owners, he never clarified if that was yearly, quarterly, monthly or per group of renters.

The majority of the committee recommends a 7 day min for renters, some would like to see a 10 day & some a 14 day minimum.

Capt Denis made reference to Kari, that the ferry is better this year, the committee would like him to clarify that in his report...And he stated as well, no worries on cost of extra runs, as they are budgeted for in the 2017 budget. He also stated it is about \$30 per ferry run. He said typically one garbage run per day but in peak two to three garbage runs. The committee suggests the HBBC board do some serious penciling. The cost for these extra ferry runs, is an alarmingly high amount.

Also, let's remember, who finances this budget Capt Denis referred too, to pay for these extra ferry runs...ALL OWNERS at HBBC.

Christine suggests everyone read & understand FL Statue 718. "Whatever vote comes to be on a rental amendment change would apply to owners that purchased after the date the amendment came to be & owners that consent & vote yes. It would not apply to owners that vote no." (So if I understand this correctly we can vote in a new amendment, just not change an amendment)?

Christine suggests limiting the percentage of owners being able to rent. Jane finds it interesting.

Some committee members suggest limiting ferry runs in the non peak season. Another suggestion was to do away with the 1:00 ferry run during winter months..

Short term renters overall appear to care less about our property, treating it more like a hotel. It is a given that long term renters raise funds for Fire dept., return year after year & rarely any complaints about long term renters..

In observing rental rates on condos, rates are not consistent. The one component that did stand out in researching the rental properties online is that rental owners promote "Free Amenities..."

Free Ferry & Parking & Wifi

Free Private Boat Dock with fish cleaning station

Free Pool & facilities

Free RV/Boat/Trailer Parking (only saw this once)

The committee members that responded to my summary are hopeful that what is already in place, be enforced immediately. I have hopefully covered most of the thoughts & suggestions accurately from the committee. Thank You.

FRANK & ANITA

To: Hideaway Bay Beach Club (HBBC) Board and Pam Sizemore

From: Frank & Anita Burger A-4, Carolyn Dupree H-6

Re: Commercial use of HBBC's informal sand landing ramp

A significant number of HBBC condominium owners and neighboring property owners on Rum Runner Road strongly object to the increasing use of HBBC's sand landing ramp (at the southeast corner of the HBBC's property) by a commercial barge operator and commercial island contractors for general loading and unloading of material and vehicles for non-HBBC uses elsewhere on the island.

Each bayfront property owner (such as HBBC) has a customary right to use the property owner's bay frontage to unload vehicles, equipment, and supplies for the property owner's own use on the owner's bayfront property. In contrast, use of a landing ramp by a commercial barge operator and commercial island contractors for general loading and unloading of material and vehicles for use elsewhere on the island makes HBBC's landing ramp a commercial barge landing that is prohibited by three separate sets of legal restrictions. Enforcement of any or all of these restrictions ultimately will result in fines or legal liability imposed on HBBC's condominium association and possibly its Board members.

First, the HBBC condominium association covenants (though not specifically addressing commercial barge landings) will be read by a court of law to prohibit the association from creating a commercial use in or near the condominium units where that use will significantly impair any owners enjoyment of his or her condominium unit. The noisy, odorous, and dusty vehicular traffic and the unsightly materials stored at the ramp are precisely the sort of unfair burden that the association covenants are intended to prevent the association or its management from imposing on owners of units near the ramp and along the south access drive.

Second, we understand that years ago, DEP granted HBBC's request for a permit to expand the HBBC dock, but only on the express condition that HBBC be prohibited from using its sand ramp for any purpose, including traditional use for HBBC's own purposes on HBBC's own property. Subsequently, HBBC persuaded DEP to allow HBBC to continue traditional use of the ramp to service HBBC's own property, primarily pumping out the sewage holding tank. DEP has never issued a permit to HBBC for the operation of a commercial barge landing on the sand ramp. Continued use as a commercial barge landing likely will result in substantial DEP fines for the violation of HBBC's agreement with DEP and for HBBC's failure to obtain a permit for a commercial barge landing. Confirmation of our understanding of the applicable DEP restrictions can be obtained from Mark Miller in the Ft. Myers office of the DEP.

Third, the Charlotte County Bridgeless Barrier Island ("BBI") zoning ordinance and the LGI Zoning Overlay that regulate LGI specifically prohibit the operation of a commercial barge landing unless a "special exception" is applied for and obtained through a specified county procedure. HBBC has never applied for or been granted such a "special exception" for the operation of a commercial barge landing. And it is extremely unlikely that such a "special exception" would ever be granted, even if it were applied for, on a tract of bayfront property that already contains a density of residential structures that is vastly beyond that permitted by the current BBI zoning. Continued use of the sand ramp as a commercial barge landing without the necessary "special exception" likely will result in substantial county fines for the violation of the zoning ordinance. A copy of the Charlotte County zoning ordinance Section 3-9-52 is attached hereto to confirm this understanding of the applicable zoning regulations.

In view of the large number of HBBC condominium owners and neighboring property owners who are seriously impacted by use of the sand ramp as an illegal commercial barge landing, it is virtually certain that one or more individuals will seek enforcement of the legal restrictions. We are asking the Board to promptly discontinue commercial use of the sand ramp in order to avoid such an enforcement action and the resultant fines.

C: Don Gagnon, President HOA, HBBC
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12 WATER CONSERVATION TIPS AND TRICKS

How to Conserve Water

- Always turn taps off tightly so they do not drip
- Promptly repair any leaks in and around your taps. (One leak can waste several thousand liters of water per year.)
- Use an aerator and/or a water flow-reducer attachment on your tap to reduce your water usage.
- When hand-washing dishes, never run continuously. Wash dishes in a partially filled sink and then rinse them using the spray attachment on your tap.
- If you have an electric dishwasher, use it only to wash full loads, and use the shortest cycle possible. Many dishwashers have a conserve/water-miser cycle.
- When brushing your teeth, turn the water off while you're actually brushing. Use short bursts of water for cleaning your brush. (This saves about 80% of the water normally used.)
- When washing or shaving, partially fill the sink and use that water rather than running the tap continuously. (This saves about 60% of the water normally used.) Use short bursts of water to clean razors.
- Use either low-flow shower heads or adjustable flow-reducer devices on your shower heads. (They reduce flow by at least 25%.)
- You can reduce water usage by 40% to 50% by installing low-flush toilets.
- Wash only full loads in your washing machine.
- Use the shortest cycle possible for washing clothes, and use the "suds-saver" feature if your machine has one.
- Use only cleaning products that will not harm the environment when they are washed away after use. Look for "environmentally friendly" products when shopping.