

Special Board of Directors' Meeting
October 26, 2022

MINUTES

A Special Meeting of the Myrtle Beach Resort Homeowners Association, Inc. was held on Wednesday, October 26, 2022 in the B Building Conference Room and also available via Zoom at 4:00 PM.

1. The following Board Members were present in person – Brent Whitesell, Renaissance Tower; Lori Niedzwiecki, Five Seasons; Nancy Moore, B Building; David Webster, A Building; and Kenneth Moss, Court Appointed Representative. A quorum was established to hold the meeting and it was called to order, at 4:08 PM, and presided over by Brent Whitesell, Association President with Lori Niedzwiecki serving as Secretary. Also present in person was Association Manager, Barbara Johnson from Empress Management, and Association Attorney Robert E Lee.

Mark Boland, B Building Board Member attended in person. The following Board Members attended by zoom: Renee Cypher, B Building and Renaissance Tower; George Williams, B Building; Robert Rosencrans, A Building; Joe Domagala, Five Seasons; Karla Robinson, A Building. Jim Perkins joined the meeting in person at 5:50 PM.

2. **September 2022 Financials**

Barbara Johnson reviewed the financial report for the period ending September 30, 2022. She stated there was \$317,912.67 in the Operating Account and \$488,604.14 in the Reserve Account. She stated that the Association was under budget for the month but over budget year to date. Ms. Johnson reported that 148 units are delinquent in their association dues payment to Myrtle Beach Resort HOA.

3. **Old and New Business**

- A. Lawsuit Update

Brent Whitesell asked for a discussion with regard to the current lawsuit, and David Webster stated that he is not going to discuss the lawsuit. Robert E Lee stated that Judge Seals had requested a memo from each of the regimes and the MBR HOA (Master) is the only association to send one to the Judge.

- B. Security

1. Two-Way Radios versus Cell Phones

The Board requested information with regard to the radio warranty and tabled the discussion.

2. Collection of \$20 Guest Fee – Agreement

Brent Whitesell stated that the MBR Board is trying to enter into a one-year agreement with the individual associations and the agreement would have to be agreed upon by all four regimes, and then signed by the individual regime Presidents and Secretary. He stated that this agreement would allow the MBR HOA to collect \$20 per guest vehicle entering the property. He stated that the funds collected would be used to offset the MBR dues. Nancy Moore stated that the B Building would sign, Brent Whitesell stated that the RT would sign, and Joe Domagala stated that Five Seasons would sign. David

Webster stated that the A Building is in discussion with their attorney due to their efforts to dissolve the Myrtle Beach Resort (Master) HOA.

3. Off-Season Hours for Roving Guard

Barbara Johnson stated that there are currently two roving guards on the property, and she asked if the Board wanted to cut back on the hours off-season. No action was taken in this regard.

4. Lazy River Closing Date

The Lazy River was closed on October 15, 2022 for the season.

C. Engineer's Report – Building Foundation Leaks

The Board discussed the proposal from Yardman to move the mulch away from the MBRV building foundation due to past flooding through the building foundation. Kenneth Moss stated that the Board needs clarification on the proposed work prior to accepting the proposal.

D. 2023 Budget Draft

1. ASG Security Contract

Barbara Johnson stated that the security contract would be increasing from \$18.88 per hour to \$20.34 an hour in the new agreement. Discussion ensued and upon a MOTION by Kenneth Moss, seconded by Nancy Moore and unanimously carried (Kenneth Moss – yes, Nancy Moore – yes, Lori Niedzwiecki – yes. David Webster – yes, Brent Whitesell – yes), it was;

MOVED: To sign the new agreement for 2023 security coverage with ASG.

Lori Niedzwiecki stated that the Board needs to obtain bids for security in 2024.

2. Snake Chaser Contract

Barbara Johnson stated that the Snake Chaser has not had a bat call anywhere on the property, so bats were removed from the contract which is a \$1,000 reduction in the nuisance animal contract. Upon a MOTION by Nancy Moore, seconded by David Webster and unanimously carried (Kenneth Moss- yes, Nancy Moore – yes, David Webster – yes, Lori Niedzwiecki – yes, Brent Whitesell – yes), it was;

MOVED: To sign the 2023 nuisance animal contract with Snake Chaser at an annual cost of \$2,500.

3. Four of a Kind Maintenance Contract

Barbara Johnson stated that the maintenance contract would be increasing to \$154,379 in 2023. Discussion ensued, and upon a MOTION by Nancy Moore, seconded by Kenneth Moss and carried (Kenneth Moss – yes, Nancy Moore – yes, David Webster – yes, Brent Whitesell – yes, Lori Niedzwiecki – Abstained), it was;

MOVED: To sign the 2023 maintenance contract with Four of a Kind.

Lori Niedzwiecki stated that the maintenance contract needs to go out to bid for 2024.

4. Internet Contract

The Board reviewed the new contract for Contract Data and upon a MOTION by Lori Niedzwiecki, seconded by Nancy Moore and unanimously carried (Lori Niedzwiecki – yes, Nancy Moore – yes, Kenneth Moss –yes, David Webster – yes, Brent Whitesell – yes) it was;

MOVED: To sign the internet contract with Contract Data at an annual cost of \$147,755.

5. Cable Contract

The Board suggested that Contract Data be contacted to see if there are any other options for cable TV that he can recommend since the Board is not going to enter into a six-seven year contract with Spectrum for cable TV, and HTC is unable to provide a quote due to engineering concerns at the property.

6. Clear Lakes & Wetlands Contract

Barbara Johnson provided the Board with the new contract for 2023, which remains at the same monthly cost of \$420 for the four ponds. Upon a MOTION by Nancy Moore, seconded by Lori Niedzwiecki and unanimously carried (Kenneth Moss – yes, David Webster – yes, Lori Niedzwiecki – yes, Nancy Moore – yes, Brent Whitesell – yes), it was;

MOVED: To renew the lake maintenance contract with Clear Lakes and Wetlands at an annual cost of \$5,040.

7. Yardman Contract

The Board discussed the landscaping contract renewal and upon a MOTION by Nancy Moore, seconded by Lori Niedzwiecki and unanimously carried (Nancy Moore – yes, Lori Niedzwiecki – yes, Kenneth Moss – yes, David Webster – yes, Brent Whitesell – yes) it was;

MOVED: To renew the landscaping contract with Yardman at an increase of \$100 per month for a total annual cost of \$18,000.

E. PBX Room

Barbara Johnson stated that HTC is preparing a quote for the MBR Association to move the telephone lines out of the PBX room.

F. Security Golf Cart Replacement

The Board discussed the estimate to lease a security cart from Graham’s Golf cart. Discussion ensued, and upon a MOTION by David Webster, seconded by Lori Niedzwiecki and unanimously carried (David Webster – Yes, Lori Niedzwiecki – Yes, Nancy Moore – Yes, Kenneth Moss – Yes, and Brent Whitesell – Yes) it was;

MOVED: To purchase the golf cart outright from Graham’s Golf Cart renew the lake maintenance contract with Clear Lakes and Wetlands at an annual cost of \$5,040.

G. Allegiant Request to Redo Beach Access Stairs

Due to the RT Building being closed, this issue is tabled indefinitely.

H. MBR Rules and Regulations

No action was taken at this time.

I. Hurricane Ian Storm Damage – Yardman Invoice Approval

Barbara Johnson presented an invoice in the amount of \$5,818.00 from Yardman for Hurricane Ian storm clean-up. Upon a MOTION by Lori Niedzwiecki, seconded by Nancy Moore, and unanimously carried (Lori Niedzwiecki – Yes, Nancy Moore – Yes, Kenneth Moss – Yes, Brent Whitesell – Yes, David Webster – Yes), it was;

MOVED: To approve the \$5,818 invoice for Hurricane Ian clean-up for payment.

J. Roof Inspection and Quarterdeck Roof Repair

Barbara Johnson reported that she received a proposal from Spann Roofing in the amount of \$1,450 to inspect the MBR HOA building roofs. She also reported that Spann Roofing discovered damage on the Quarterdeck Roof which cannot be repaired at this time due to the area being closed by code enforcement. The quote for the Quarterdeck roof repair is \$825, and Spann Roofing offered a \$450 discount if the work is completed when the roof inspections are done. The Board requested Barbara to contact Spann to see if they will honor the discount and do the inspections now since the Renaissance Tower and adjacent area is closed off.

K. Board Approval to Pay RT Special Assessment

Barbara Johnson reported that Myrtle Beach Resort HOA received a Special Assessment of \$44,525.76 from Renaissance Tower for Steel work for the three commercial units owned by MBR HOA, as follows:

Unit A \$37,105.49

Unit D \$5,564.68

Unit E \$1,855.59

Upon a MOTION BY Nancy Moore, seconded by Kenneth Moss, and unanimously carried (Nancy Moore – Yes, Kenneth Moss – Yes, Lori Niedzwiecki – Yes, David Webster – Yes, and Brent Whitesell – Yes), it was;

MOVED: To authorize Empress Management to pay the \$44,525.76 Special Assessment for the three units owned by Myrtle Beach Resort HOA in the RT Building.

L. Other

Barbara Johnson reported that she spoke with Engineer Tim Donohue about the possibility of relocating the Quarterdeck bathrooms on the ocean side of the building. Mr. Donohue stated that they cannot be re-located to the ocean side of the property.

Kenneth Moss stated that the budget needs to be modified to show the HTC credit on both the credit and expense side of the operating budget.

4. Schedule Next Board Meeting

The next Regular Board meeting is scheduled on Wednesday, November 2, 2022 at 4:00 PM. The next Regular Board Meeting is scheduled on Saturday, January 21, 2023 at 9:00 AM in the B

Building conference room. The Annual Member's Meeting is scheduled on Saturday, April 21, 2023 at 9:00 AM in the Inlet Square Mall Meeting Facility.

5. Adjournment

Upon a motion by Nancy Moore, seconded by Lori Niedzwiecki and unanimously approved, the meeting was adjourned at 7:50 PM.

Meeting Commenced: 4:08 PM

Meeting Adjourned: 7:50 PM

Prepared by Empress Management
and Submitted For:

Lori Niedzwiecki, Secretary

Approved By:

Brent Whitesell, President