

APPROVED

**BERKSHIRE BEACH CLUB OF DEERFIELD BEACH
CONDOMINIUM ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
Thursday, November 4, 2021**

I. ROLL CALL/CALL TO ORDER

President Alan Winberg called the meeting to order at 9:04 a.m. in Unit 7. The following persons were in attendance:

Board of Directors:

Alan Winberg, President
Richard Vogel, Vice President
Paula DiMaria, Secretary/Treasurer

VRI Americas (VRI) and Resort Management:

Rich Snyder, Director of Resort Operations/VRI
Paul Carney, Sr. Vice President of Resort Operations/VRI
Pam Newton, Resort General Manager

Owner:

Beth Gerome

II. NOTICE AND QUORUM VERIFICATION

A. Posted

Pam Newton announced that the notice of the meeting was properly posted on the resort premises in accordance with Florida statutes and the Condominium Documents.

B. Quorum

A quorum was achieved with three of three Board members in attendance.

III. APPROVAL OF AGENDA

MOTION: Alan Winberg moved to approve the agenda as presented and revised to reorder by moving VI. MANAGER'S REPORT to VIII. Motion was seconded by Paula DiMaria and approved unanimously.

IV. APPROVAL OF PREVIOUS MEETING MINUTES (8/12/21)

MOTION: Paula DiMaria moved to approve the August 12, 2021 Meeting Minutes as written. Motion was seconded by Alan Winberg and approved unanimously.

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V. MANAGEMENT REPORTS

A. Financial Report

Rich Snyder reviewed the month-end September 30, 2021 Financial Report, copies of which were provided to all attendees.

B. Delinquency Report

Rich Snyder reviewed the October 21, 2021 Delinquency Report, copies of which were provided to all attendees.

C. Sales Report

Rich Snyder reviewed the month-end October 31, 2021 Sales Report, copies of which were provided to all attendees.

D. Rental Report

Rich Snyder reviewed the month-end September 30, 2021 Rental Report, copies of which were provided to all attendees.

E. RCI Report

Rich Snyder reviewed the October 30, 2021 RCI reports, copies of which were provided to attendees.

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

A. VRI Update

Paul Carney presented a VRI update including the following:

- The California office is starting the re-opening process and currently 50% of staff has returned.
- The new Florida Assessment, Billing & Collection (ABC) office in Cocoa Beach has opened.
- Rich Snyder will be stepping back from his role as Director of Resorts/VRI and a new Director will start effective January 1, 2022.

APPROVED**B. American Express Purchase Card**

Rich Snyder and Paul Carney reviewed a program offered through VRI which provides an American Express Corporate Purchase credit card to the General Manager to use for operations expenditures. This replaces the Manager's Account debit cards used previously and now disallowed by the Florida legislature.

MOTION: Alan Winberg moved to approve a *Unanimous Written Consent* which will be signed by each member of the Board, authorizing the American Express credit card and reimbursement of monthly charges from the Association to VRI. Motion was seconded by Richard Vogel and approved unanimously.

C. Auditor

The current auditor agreement has expired. Rich Snyder and Paul Carney presented three proposal letters from qualified CPA firms to provide auditor services to the Association over the next three years.

MOTION: Alan Winberg moved to authorize signing the engagement letter agreement with Myers, Bretholtz & Company, PA as presented, to provide audited financial statements and tax services for the years ending December 31, 2021, 2022, and 2023, for a fee of \$5,200 per year. Motion was seconded by Richard Vogel and approved unanimously.

D. 2022 Budget

MOTION: Paula DiMaria moved to approve the 2022 budget draft as presented, with total budget of \$556,465, total revenues of \$560,465 and a maintenance fee of \$821.34 (1 BR) and \$1054.97 (2 BR), representing a 9.38% increase in maintenance fees over 2021. Motion was seconded by Richard Vogel and approved unanimously.

E. 2022 Assessment Billing and Collection (ABC) Policy

MOTION: Alan Winberg moved to approve the Assessment Billing and Collection Policy as presented. Motion was seconded by Richard Vogel and approved unanimously.

F. ARDA, TPI and NRS Billing Inserts

Rich Snyder presented ARDA Resort Owners' Coalition (ARDA-ROC), Trading Places International (TPI), and Net Realty Services (NRS) buck slips to include as inserts with the assessment billings.

MOTION: Alan Winberg moved to approve the TPI and NRS billing inserts and to disapprove the ARDA-ROC insert. Motion was seconded by Paula DiMaria and approved unanimously.

APPROVED**G. Life Safety Task Force Report**

Rich Snyder reviewed a summary prepared by the *Becker* law firm of the *Florida Bar Condominium Law and Policy Life Safety Task Force Report* which presents issues and recommendations relating to association reserves and structural inspections.

H. ADA Lawsuit

Rich Snyder reviewed the *David Poschmann v. Berkshire Beach Club of Deerfield Condominium Association, Inc.* lawsuit alleging violation of Title III of the Americans with Disabilities Act (ADA) and implementing regulations relating to “*Reservations made by places of lodging.*” The Association’s insurance carrier is providing a defense and covering attorney’s fees and costs and will pay a settlement amount in excess of a retainer paid by the Association. A *Confidential Settlement Agreement* proposed by the plaintiff, which includes a requirement to add a statement regarding accessibility to the Association’s website, was also reviewed.

MOTION: Alan Winberg moved to authorize the Board President to, in consultation with defense counsel, execute a settlement agreement and remit payment of a retainer at a cost not to exceed \$1,000. Motion was seconded by Paula DiMaria and approved unanimously.

MOTION: Alan Winberg moved to authorize and direct the immediate addition of a statement regarding accessibility to the Association’s website, with revision of the language if recommended by defense counsel following conclusion of the settlement. Motion was seconded by Richard Vogel and approved unanimously.

VIII. MANAGER’S REPORT

Pam Newton presented the Manager’s Report, copies of which were provided to all attendees, and the following projects completed in 2021 were discussed:

- Renovation of the exterior decks for Units 6 and 7 was completed at a cost of \$5,500.
- The spa heater gas line was replaced at a total cost of \$1,300.
- A new chemical controller for the spa was installed at a total cost of \$2,500.
- The Wi-Fi system was upgraded, and new wireless access points (WAP) were installed.
- The TV system was upgraded to HDTV at a favorable monthly rate, with installation at a total cost of \$900.
- Foundations and mattresses have been replaced in seven units, with replacement in the remaining six units planned for the first half of 2022.
- Signs warning against trespass and illegal parking have been installed in consultation with the City of Deerfield Beach and the Broward County Sheriff’s Office.
- The five deck table umbrellas were replaced with the color changed from tan to blue.
- The parking lot was sealed and re-stripped.
- Concrete was restored and repairs and painting completed for both the east and the west exterior stair steps and landings at a total cost of \$7,500.

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IX. EXECUTIVE SESSION


MOTION: Alan Winberg moved to enter into Executive Session at 10:47 a.m. Motion was seconded by Paula DiMaria and approved unanimously.

MOTION: Alan Winberg moved to return to Regular Session at 11:03 a.m. Motion was seconded by Paula DiMaria and approved unanimously.

MOTION: Alan Winberg moved to approve 2021 year-end performance bonuses and 2022 merit pay increases as decided in Executive Session. Motion was seconded by Richard Vogel and approved unanimously.

X. ADJOURNMENT

MOTION: Richard Vogel moved to adjourn the meeting at 11:12 a.m. Motion was seconded by Paula DiMaria and approved unanimously.

DocuSigned by:

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Paula DiMaria, Secretary

RCS/nb

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