

CASA DEL SOL CONDOMINIUM

<http://www.casadelsol-ocmd.com>

BOARD OF DIRECTORS MEETING via Zoom

Tuesday, May 23rd, 2023

CALL TO ORDER

The meeting was called to order at 8:02 p.m. by President Adele Bradley via Zoom.

Adele welcomed new board members Rick Stryjewski and Suzy Hartz and congratulated Lou Napoli on his one year re-election.

PARTICIPANTS President Adele Bradley, Vice President Bob Surette, Treasurer Tom Bell, Secretary Suzy Hartz, Lou Napoli, Doug Rollins, Rick Stryjewski and Igor Conev representing Mann Properties.

OWNERS/GUESTS PRESENT

None

1. APPROVAL OF THE DRAFT MINUTES OF THE CDS BOARD MEETING ON 03/22/2023

Motion: Tom Bell motioned to approve the draft minutes of the meeting. Rick Stryjewski seconded the motion. The motion was passed unanimously by the the Board.

2. CDS FINANCIAL REPORT

Tom Bell delivered the following financial report. Below are the account balances as of May 12th, 2023.

a. Checking (1012)(1013)	\$139,927.84
b. Reserves	
1. Money Market Improvement Fund (1060)	\$20,321.74
2. Charles Schwab Accts (1074, 1075, 1076)	\$223,950.47
3. Farmers Bank CD (1090)	\$106,072.17
4. Charles Schwab CDs (1077, 1078, 1079, 1081)	\$360,000.00
Reserves Total:	\$710,344.38
c. Assessments Receivable	
1. Condo Fees (1310)	\$4409.61
d. CDS Reserves	

e. Type	Investment	Interest rate	Maturity date	Purchase date	Purchase amount
CD	Northeast Bank ME (Schwab 1074)	4.65%	6/14/23	12/07/22	100,000
CD	PNC Bank, Ntnl Assoc PA (Schwab 1075)	4.8%	12/15/23	12/07/22	123,000
CD	Celtic Bank UT (Schwab 1077)	3.9%	2/24/27	2/9/23	90,000
CD	Customers Bank PA (Schwab 1078)	4.7%	8/16/24	2/9/23	90,000
CD	Raymond James Bank FL (Schwab 1079)	4.55%	2/18/25	2/9/23	90,000
CD	EagleBank MD (Schwab 1081)	4.25%	2/24/26	2/9/23	90,000
CD	Farmers Bank (Farmers 1090)	0.65%	4/29/23	4/29/21	104,703.24

e. Bills Paid (March 23, 203 – May 01, 2023):

04/03/23	Check #1032	94.33	ADELE BRADLEY
04/03/23	Check #1033	400.32	DELMARVA POWER
04/03/23	Check #1034	1,104.00	FirePro
04/03/23	Check #1035	1,218.00	MANN PROPERTIES, INC.
04/17/23	Check # 1036	95.00	D & B SERVICES
04/17/23	Check # 1037	90.00	TOWN OF OCEAN CITY
05/01/23	Check # 1038	18,359.47	BEACH BROTHERS, INC.
05/01/23	Check # 1039	323.07	DELMARVA POWER
05/01/23	Check # 1040	1,218.00	MANN PROPERTIES, INC.

Motion: Tom Bell made a motion regarding the transferring of \$2579.07 from a replacement fund to the operating fund per Auditor's recommendations. Adele Bradley seconded the motion and it was passed unanimously by the Board.

f. Check Signers

Motion: Tom Bell made a motion that he, Doug Rollins, Bob Surette, and Adele Bradley be signers for the CDS checking account. Lou Napoli seconded the motion and it was passed unanimously by the Board.

- g. Investment of \$106,072.17 that has come available from the maturity of a CD at Farmers Bank.**

Motion: Tom Bell made a motion that this money gets put in a five year CD to complete the Ladder (6 mos., 1 year, 2, 3 and 4 – this will be 5). Very low risk. Adele Bradley seconded the motion and it was passed unanimously by the Board.

After the Board meeting, Tom emailed James McCleary at Schwab explaining that the Board for Casa Del Sol voted to purchase a \$106,072.17 5-year CD from CIBC Bank at 4.5%.

BUSINESS OF THE CONDOMINIUM

3. OLD BUSINESS:

a. Procurement Policy for approving CDS HOA expenses/engaging contractors.

At the March 22, 2023 Board Meeting, Mike Bufano made a motion to adopt a policy that requires the CDS to request at least three bids when a potential individual expenditure on behalf of CDS exceeds 5% of the annual expense budget then in-effect. For illustrative purposes, the current annual expense budget is \$215,000, so expenses for the procurement of specific goods/services that exceed approximately \$10,750 under the current budget will require the Board to seek three bids. This policy will specify exceptions from the three-bid requirement for expenses related to (1) emergency repairs, (2) legal fees incurred to defend the CDS HOA in actual or potential lawsuits, (3) property management company fees, and (4) CDS HOA insurance coverages. Under this policy, the CDS Board will not be required to seek multiple bids for an individual expenditure that does not exceed 5% of the annual expense budget. The motion was seconded by Tom Bell and was passed unanimously by the Board.

When completed, the procurement policy will be posted on the CDS owner website. Mike pointed out that a future CDS Board is free to decide to amend or repeal this policy.

Adele Bradley reported that a policy had not been drafted as of yet however, she would create a policy using the language from the March 22, 2023 meeting with the assistance of Igor Conev and Tom Bell. The draft policy will be emailed to all board members for their input and discussion at the next board meeting.

b. Request to consider changing 770 boat slips and finger docks from Common Elements to Limited Common Elements to enable boat lift installation in the 770 boat slips. .

Adele Bradley reported that a letter had been received from Chris Woodley regarding 770C request. The following paragraph was read at the Annual Meeting and referred to at this meeting.

Letter from Attorney Woodley (CDS Counsel) was received giving his legal opinion. The following was read to owners at the annual meeting:

“The only way to make the boat slips limited common elements, the use of which could be assigned to specific unit owners, would be to further amend the Master Deed. Typically, it takes the written consent of 80% of the unit owners to amend a condominium declaration. However, Section 11-103(c)(i)(iv) of the Act states that, “Except as otherwise expressly permitted by this title and by the declaration, an amendment to the declaration may not redesignate general common elements as limited common elements without the written consent of every unit owner and mortgagee.” Therefore, until such time as the Declaration is properly amended with the written consent of all unit owners and mortgagees, the boat slips shall be considered general common elements.”

It should be noted that if this is amended, another vote must take place with 100% approval to change the general common property to limited common property. (Reminder: This gives owner exclusive use – not exclusive ownership).

Adele commented that at this point the board feels it has exhausted all avenues of resolution to the request of 770C and that the matter should be considered closed. However, Doug Rollins requested that he be given the time to research another option regarding the possibility of CDS installing the boat lift, charge the owner for costs and then enter into a leasing agreement leasing the boat lift. The board agreed to allow the research and Doug will report back at the next meeting of his findings.

Motion: Adele Bradley made a motion for Doug Rollins to research the option of CDS installation and leasing / renting potential with boat slips as well as legal, insurance and liability considerations. Lou Napoli seconded the motion and it was passed unanimously by the Board.

c. Replacement sliding door and window design/drawings.

At the March 22, 2023 CDS Board meeting, Lou reported that the updated quote from GMB is \$4,600 (plus expenses) and now covers the third-floor windows for units with no third-floor decks and the small windows near the front doors. All measurements have been completed, and the next steps if for GMB to produce drawings and make recommendations for replacement specifications. Mr. Holland from GMB mentioned that the bottom bayside windows on the 3rd floor are no longer up to code, so the new specs for replacements will likely give an entirely different look to units where replacements are installed. GMB will also identify suggested contractors for replacement installations, which will be revisited and potentially amended periodically. If a unit owner wants to use a contractor not on the then-current GMB list of recommended contractors, GMB would be engaged to perform post-installation inspections compared to the specs.

Lou Napoli reported that nothing had been received from GMB Engineering Services as of this date. Lou will reach out to get a status update and report back at the next meeting.

d. Leaning fence behind trash cans at west end of 600 parking lot.

On the March 22, 2023 Board meeting, Igor reported that the city will contact the Seagrass property owner by letter if CDS provides the city with the name and address of the Seagrass owner. Attempts to speak with residents of Seagrass have been unsuccessful. Doug Rollins is hoping to see some of the owners over Memorial Day weekend.

e. Request for approval by Unit 730 to install floating boat lift.

On March 22nd, Tom Bell made a motion that the Board approve the installation of the floating boat lift at unit 730 as requested by Mr. Pacobit provided that (1) the dock is not assembled on or launched into the boat slip from CDS property, (2) all proper permits for the dock must be obtained from the town of Ocean City and (3) the owner of unit 730 must sign a document acknowledging the exact terms and conditions of the Board's approval in advance. The motion was seconded by Lou Napoli and was passed unanimously by the Board.

Igor Conev was asked to contact the owner to still if they were still interested in installing the floating dock. Igor is to report back at the next meeting.

f. Policy for installation of cameras at CDS units.

The Board members concluded that the draft camera policy would be circulated to CDS unit owners within a few days after the March 22 Board meeting and owner comments to the policy would be solicited in the open forum of the annual meeting on April 22. If there are no changes to the policy as a result of owner comments, the Board will adopt the camera policy in the form initially circulated to the owners. If changes are made as a result of discussion at the annual owners meeting, the Board will recirculate the camera policy after the annual meeting and vote on the policy at an appropriate time no less than 15 days following recirculation of the camera policy to CDS owners.

One aspect of the proposed camera policy that received much discussion among the Board members was whether the policy should permit cameras to be pointed at boat slips. Because the boat docks are common element property, certain members of the Board questioned whether there will be individual privacy concerns among unit owners and their families/guests. Doug Rollins was particularly vocal that the policy should permit cameras to be pointed at the docks. The Board agreed that when the proposed camera policy is circulated to CDS owners, the cover note would highlight to owners that the policy does not permit cameras to be pointed at the boat docks.

Tom Bell shared that owners from units 620, 662, 664, 680, 700, 770D have shared comments about the policy.

Motion: Tom Bell made a motion to table this until the next meeting to allow time for more owners to share their thoughts. Rick Stryjewski seconded the motion and it was passed unanimously by the Board.

g. Termite protection on 94th Street side of CDS buildings.

At the March 22 Board meeting, Igor stated that Ehrlich recommended installing 68 termite traps, one for each unit. The Board discussed the pros and cons of the different types of termite treatment and of termite treatment in general. Igor shared that Mann Properties manages buildings that do not use any form of termite protection as well as buildings that use either monitoring stations or chemical treatments, and he has not seen significantly different termite incidents at any of those properties. He went on to say that many years ago, termite damage was discovered at CDS, and it only cost a few thousand to repair, while CDS has spent close to \$100k on termite treatments over the last 20 years. This suggests that an option for the Board to consider is not paying for any termite protection and, instead, rely on periodic termite inspections because the cost to remediate a termite issue if/when one is discovered could cost significantly less than the cost of termite protection. The Board agreed to gather more information on the cost of various termite treatment options and defer any action until a later meeting.

The current provider was alerted after the parking lot was paved and they couldn't get to bait stations (CDS was charged for a year where they obviously couldn't access the stations). A search is on for a different termite company. Doug Rollins reported that he had been in contact with pest control businesses. According to two providers, the current chemicals used (which are deemed the most effective) cannot be applied within 25 feet of tidal waters. The back of CDS buildings are about 23 feet away. In short, the back side of buildings can never be chemically treated but there is an option to do the front side. Woody's Pest Control recommends an annual inspection \$75 per unit annually. Doug Rollins is going to get another estimate as well as details surrounding what exactly is included with an annual inspection.

h. Proposal from Beach Brothers to power wash and stain east and west gates of the 600 and 700 buildings as well as the new fence behind trash cans at the 600 building.

Adele Bradley will follow up with Beach Brothers on timing.

i. Caps on the Pilings.

Motion: Doug Rollins made a motion that the Board authorize the purchase of new caps for CDS pilings that do not have them. Adele Bradley seconded the motion and it was approved unanimously by the Board.

Doug is going to order three different sizes – 10 of each. Installation should be done with galvanized or stainless nails. Three pilings will require a boat for access.

4. NEW BUSINESS

a. Installation of key code or electronic gates.

At the Annual meeting, Tim Fagan (Unit #666) suggested the Board look into the possibility of installing key code or electronic gates to provide better security on the bay side (rear) of CDS Units.

Discussion ensued and sentiments shared that the CDS community is a safe one with little to no crime incidents reported. Lock replacement such as these can run upwards of \$1,000 per lock and often need to be replaced annually. At this time, the Board chose not to pursue electronic gates or key codes.

b. Legal use of marijuana in Maryland.

Barbara Siskind Unit 644 reminded owners that beginning July 1, 2023, the legal use of marijuana will become effective July 1, 2023. Barbara asked that the CDS community be mindful that there are small children who frequent CDS and owners who find the smell offensive. She asked if there was anyway the board could send something to owners regarding this issue.

Adele Bradley proposed that a notice be sent to home owners reminding everyone that Casa Del Sol is a family-friendly community. While we respect everyone's legal rights, we ask that everyone please be respectful, courteous, and considerate of their neighbors regarding anytype of smoking.

c. Request from owners at 770 building during the Annual Meeting to have bollards installed to secure their trash cans.

Bob Surette is going to take a closer look and then call the contractor.

d. Spring inspection report.

An on sight survey was conducted by Mann Properties regarding the upkeep and maintenance of Casa Del Sol. All Unit owners are responsible for keeping their carports and deck areas in a tidy and cleanly manner.

A concern with Unit 636 was brought to the attention of the board regarding standing water and a wet, moldy carpet and trash under the deck giving off a very unpleasant odor.

In addition, Unit 630 also was found to have clothing, coolers, shoes, boots stored in their carport.

Igor will draft a letter requesting clean up by the owners.

e. Bulk Pick-up.

Reminder to all home owners: Large items that do not fit in the trashcan (construction materials are never allowed) require a call for Bulk Pick up. Service operates MONDAY – FRIDAY MAY 1, 2023 TO SEPTEMBER 30, 2023. The cost is \$40 for the first item, \$75 for up to three items and \$10 for each additional item. For more information, please call 410-524-0318 or email thenderson@oceancitymd.gov.

It should be noted that the HOA was charged \$175 for unknown cardboard boxes placed outside on top of a bulk pick up that was not phoned in. There is discussion around assessing additional fines to home owners who do not contact bulk pick up.

5. REMINDERS:

Parking:

Rule #3. Each unit is allowed two parking spaces. One in the unit's carport and one in the parking lot on a first come, first served basis. The vehicle parked in the lot must display the assigned parking tag from the rear-view mirror or front windshield area in plain view. Vehicles violating this rule may be subject to tow at the owner's expense. During the off season from Labor Day to Memorial Day owners may take advantage of additional parking spaces in the lot.

Noise:

Rule #7. It is unlawful for any person to make, cause, or continue any loud, unnecessary, unnatural or unusual noise, or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace and safety of others at any time, day or night. The Ocean City Town ordinance strictly enforces that no disruptive noises be made between 12 midnight and 7:00 a.m. in such a manner as to be heard at a distance of 50 feet from the building or structure from which it is located. If disruptive or excessive noise occurs between the above hours, please call the Ocean City Police Department at 410-723-6600 and specify the unit involved.

Fireworks:

Rule #12. Fireworks are not permitted for use on Casa Del Sol property. Although the purchase and use of some fireworks are legal in the State of Maryland, they are illegal in the Town of Ocean City.

6. NEXT CDS BOARD MEETING IS TUESDAY, JUNE 13TH at 8:00PM via Zoom.

7. ADJOURNMENT

Motion: Lou Napoli made a motion to adjourn the meeting at 9:36pm. Rick Stryjewski seconded the motion and it was passed unanimously.