



## **Little Gull Condominium Assoc., Inc.**

### **Board Meeting**

### **February 15<sup>th</sup>, 2014**

The Board of Directors of Little Gull Condominium Assoc., Inc. met at the resort on February 15<sup>th</sup>, 2014. President Alexandra Quarles called the meeting to order at 10:00 A.M. Present were Michael Rissman, Dirk Tolle, Leni Collet (via Go To Meeting), Sharon Cunningham, Property Manager and Debbie Trotter, Resort Manager. Frank Colwell, Vice President of the Association, was absent.

#### **PROOF OF NOTICE**

Alex said the notice and agenda were mailed and posted in the locked bulletin board on the property.

#### **SECRETARY'S MINUTES**

Alex asked if there were any revisions or corrections to the minutes from the 2013 Annual Meeting. Hearing none Michael moved to approve the minutes of the Annual Meeting. Dirk seconded and the motion carried with 4 yes votes.

#### **TREASURER'S REPORT**

Final Financials for December 2013 were distributed at the meeting and with the meeting packet. November and October 2013 were sent to the board with the meeting packet. Sharon and Debbie reviewed some of the end of the year purchases to answer questions that Dirk had posed about some of the account balances. Sharon advised that Joann Ganey, our accountant wrote off the remaining Bad Debt in December. She then went over the report in detail explaining what each account balance was at the end of 2013 and where we stood as far as our actual versus budgeted expenses.

#### **PROPERTY MANAGER'S REPORT**

Debbie Trotter reviewed the Property Manager's report. She told the board that she didn't have figures yet for January, 2013, but said that our pace of collection of maintenance fees is on par again with last year. She reviewed the projects completed thus far including the new walkway to the laundry room, new landscaping and mattress replacements. She also discussed the recent Settlement of the DeElorza Law Suit. Board Members questioned the amount of the settlement which was \$212,000. Debbie explained that the plaintiff, Mrs. DeElorza was demanding at least \$500,000 and up until the week before the settlement was reached we were supposed to be going to trial in May, 2014.

#### **OLD BUSINESS**

- a) **Pool Lift** - The Board reviewed at length the issue of whether a pool lift needs to be installed in order to be in conformity with ADA requirements. Based on information received from employees at ADA and the Justice Department, the Board concluded that there were such significant distinguishing differences between Little Gull and hotels, which are required to provide pool lifts, that Little Gull was, at this time, exempt from this requirement. Specific differences noted, were:
  - 1) Ownership of individual units/weeks is by recorded deed, and the owner is entitled to return to that unit/week every year.
  - 2) Rental of units occurs only with the approval of the owner of the unit/week, with the management company acting, in some cases, only as an agent for the owner.

- 3) Although some units are rented (2. Above), Little Gull does not operate like a hotel, in that there are no laundry services, reservation numbers, and housekeeping services provided.
- 4) Little Gull is not staffed like a hotel, ie: no staff available 24/7.
- 5) There are no swim meets or swimming lessons provided at the Little Gull pool.
- 6) From a cost perspective, it is not readily achievable to provide access as envisioned by the regulations.
- 7) It is not readily achievable to provide ongoing staff training to assure equipment and pool facilities are available whenever pool is open (dawn to dusk). See 4. above.
- 8) On average only about 25% of our units are available for rental.

Accordingly, the Board decided to take no action regarding the installation of a pool lift at this time, but in keeping with the Board's desire to assure that Little Gull adheres to all applicable laws and regulations, this issue as well as other ADA requirements will be reviewed at least annually.

## **NEW BUSINESS**

- a) **New Patio Furniture** – A sample chair for the new patio furniture was presented to the Board. Debbie informed the Board that we expect delivery of the furniture the first week of March and that we were also replacing all of the beach loungers/chairs too. She stated we received a very good discount on the order after using the services of CPMC's Russell Rothenbach.
- b) **2013 Audited Financial Statements** – The Board reviewed and then Dirk moved to approve the 2013 Audited Financial Statements contingent upon the correction to a date listed as 2012 that should have been 2013 on page 8 and the receipt of the Management Letter from Loton Williams, our auditor. Michael seconded and the motion was approved with 4 yes votes. Debbie will then email the Board the Management Letter and then they will be supplied the hard copies of the Audit when she receives them from Loton. Lastly, Alex suggested that the Auditor is supposed to let us know what his fees are for next year before we engage him again for the audit again. She also suggested that he should come to the Board Meeting next year to present the Audited Financial Statements.

## **ADJOURN**

There being no further business, the meeting adjourned at 11:53 a.m.

Respectfully submitted,

Dirk Tolle  
Secretary of the Board