

Tuscany Square I Condominium Association, Inc.  
Board of Directors Meeting Minutes

Date: April 28, 2016

Place: Venetian Bay Clubhouse

Time: 1:00 PM

- I. Meeting called to order at 1:07 PM by Lloyd Morris, President of the Board.

**Board Members Present:** Lloyd Morris, Richard Mistarz, Thom Keeney, Flo Riggie, Nancy Graves.

**Absent:** None.

**Present from Atlantic Shores Management:** Mark Roskamp.

**Owners Present:** Margaret Miller (Unit 413), Mark Umbenhen (417), Jimmi & Robert Duckworth (324).

**Others Present:** James Stowers, Esq, Attorney, Geosam, Steve Joyce, Maintenance Supervisor, TSQ1, Skip Brannan, Board Liaison, Buddy Smith, AWS Roofing.

- II. The minutes from the March 24, 2016 meeting were approved.
- III. Financial report was given by Mark Roskamp. Richard Mistarz moved to approve the financials. The motion was adopted unanimously after discussion.
- IV. Statement for the record:
- a. Richard Mistarz and Flo Riggie opposed the proposal for Tract G parking because of the obligation to pay taxes and maintenance on a percentage of Tract G without Geosam providing a site plan of Tract G to assure the Board that it did not include any land other than the parking lot.
- V. Motions:
- a. Richard Mistarz moved to approve the repair of up to twelve (12) roof valleys by AWS Roofing, under the supervision of Steve Joyce, at a cost not to exceed \$1,500 per valley. The motion was adopted unanimously after discussion.
  - b. Thom Keeney moved to approve the use of up to \$175,000 from the Roofing Reserve fund to repair expansion joints (\$30,000), roof walls (\$95,000) and roof valleys (\$18,000). The motion was adopted unanimously after discussion.
  - c. Thom Keeney moved to approve purchase of Family Pool Membership for all units through December 2016 in the amount of \$12,500 and reimbursement, by Amalfi's, to owners who have already purchased memberships. The motion was adopted unanimously after discussion.
  - d. Nancy Graves moved to allow approval of owner/tenant applications by two Board members. Richard Mistarz and Flo Riggie will serve as approvers and Thom Keeney will be an alternate. All Board members will continue to receive applications. The motion was adopted unanimously after discussion.
  - e. Nancy Graves moved to approve the request for a legal opinion from Scott Kiernan on the validity of the subdivision of commercial units and how to legally

correct the situation without violating Florida condominium law. The motion was adopted unanimously after discussion.

- f. Thom Keeney moved to accept the proposal by Geosam for Tract G vehicle parking in the easement and the amendment to grant permanent easements with reservations and agreement as submitted at the March 24, 2016 Board meeting. The motion was adopted with three (3) votes for and two (2) against after discussion.

VI. Resident comments not associated with agenda items:

- Margaret Miller (Unit 413) expressed concerns about the parking situation. Specifically, that police and commercial vehicles are parking inside the gated condominium parking area.

VII. Board member and other comments:

a) Lloyd Morris:

1. Operating Funds: Lloyd requested the status of the movement of operating funds to a local bank. Mark Roskamp stated that a local account for petty cash can be established. Also, if the Board designates signers on our current operating account, checks requested by Thursday can be printed at the ASM office on Monday and can be delivered to or picked up by the signer.

b) Richard Mistarz:

1. Track G: There is concern that this tract includes all of the easement granted to Tuscany Square LLC by Venetian Bay of New Smyrna Beach, LLC. If so, it would include all of the land under the Tiki Bar, Swim Club and the “park” North of TSQ1. The proposed parking agreement would obligate TSQ1 to pay taxes on that land.
2. Signs and Awnings: There are no specific guidelines concerning the size, color and conformity for commercial signs and awnings. Also, since the buildings will be painted soon, there is no guarantee that the new colors will be the same as the old colors. Venetian Bay must approve all paint colors based on their number on the color wheel. Nancy will find out what our original numbers are and the process required to have them approved. Richard will develop guidelines for signs and awnings. Also, Exit Realty’s window sign in their south window is in violation of code.
3. Designated Parking Space: This use of the space recently marked off for use by Hank, owner of Millennium Travel is causing problems for the owner of unit 321 because his two car garage is directly perpendicular to the space. When a vehicle is parked in this space and two cars are in garage 321, there is not enough space for either car to back out safely without hitting the parked car. This situation needs to be addressed.
4. Excessive Noise: Several residents have noted that recently there has been excessively loud music in the Tiki Bar area. James Stowers will talk to Amalfi’s about keeping the volume to a reasonable level.

c) Thom Keeney:

d) Flo Riggie:

1. Rental/Purchase Application: The layout of the current application is inconsistent and confusing in several areas. Questions that require a yes or no

answer do not follow a consistent format. Applicant's current address should include the city and state. ASM will revise these areas appropriately and add a statement requiring the applicant's signature, which states that they have read and will abide by the rules and regulations of TSQ1.

e) Nancy Graves:

1. Board Meeting Location: Nancy had requests from several owners to have Board meeting take place in the evenings so they can attend. Thom Keeney and Flo Riggie will look into potential locations for evening meetings.
2. Residential Units: Several units on floors 2 thru 4 do not appear to be occupied as residential units. James Stowers will look into the TSQ1 by laws and make an interpretation as to compliance with "residential unit" use requirement.
3. Lawsuit Update: The second mediation has been set for the end of July. Scott Kiernan will attend the May Board meeting and give a further update.
4. Amenities: Potential buyers and tenants have asked the question, "What amenities does the TSQ1 maintenance fee include?". Nancy and Skip will develop a standard statement that can be given out.

f) Skip Brannan:

1. Parking Violations: Residents parking is getting better – less violations. The parking Rules and Regulations were distributed to each resident. All have been requested to obtain stickers for cars parked inside the gated parking area by May 7, 2016 or be towed. Some discussion ensued concerning the need for stickers to be placed on cars in the aprons. Flo will look up the previous discussion and motion that was passed concerning this subject.

g) Steve Joyce:

1. Roof Repairs: AWS presented and explanation of the high roof and wall repair proposal. Buddy Smith of AWS will follow up on warranty information for various materials discussed and on door options. Buddy stated that roof repairs discussed would take approximately four (4) weeks. Also, the roof leak recently discovered in unit 431 will be fixed immediately.
2. Expansion Joints: This work is ongoing. Should take about two more weeks.
3. Landscape: Sod should be down in about two weeks. Steve met with the landscaper and has a sketch to move forward with. Steve is currently looking for pavers.

VIII. Atlantic Shores Management Comments:

Meeting adjourned at 4:10 PM

A Special Board Meeting concerning Building Repairs will be held May 5, 2016 at 424 Luna Bella Lane Unit 313 at 6:00 PM.

The next monthly Board Meeting will be held immediately following the Annual Board Meeting which will be held at 6:00 PM on May 5, 2016 at Amalfi's Restaurant.

Respectfully submitted,  
Flo Riggie  
Secretary