

**MYRTLE BEACH RESORT HOA, INC.**  
**SPECIAL BOARD OF DIRECTORS MEETING**  
**SUNDAY, OCTOBER 13, 2019**

**MINUTES**

The Special Board of Directors Meeting of the Myrtle Beach Resort HOA, Inc. was scheduled in accordance with *Article IV, Section 5* of the Myrtle Beach Resort HOA Master Deed dated April 25, 1991, was held on Sunday, October 13, 2019, commencing at 9:00 AM in the B Building Conference Room at Myrtle Beach Resort, Myrtle Beach, South Carolina.

**1. Formal Opening of Meeting**

Barbara Johnson, Association Manager from Empress Management LLC, welcomed all present and declared a quorum was established and the meeting could be held. Present at the meeting were the following Members of the Board of Directors:

Kenneth Moss	Court Appointed Representative	President
Jeff Richardson	Renaissance Tower Representative	Secretary
Jim Perkins	B Building Representative	Treasurer
Lori Niedzwiecki	Five Seasons Representative	Director at Large
Robert Rosencrans	A Building Representative	Director at Large

Also present at the meeting were Zhaneta Mansaku, Administrative Assistant and Elaine Campbell, Financial Preparer of Empress Management, LLC.

Homeowners in attendance were requested to sign the sign-in sheet provided.

Ms. Johnson stated that the meeting was being held for the purpose of addressing Association business noted in the Agenda provided to all participants.

**1. Business**

**A. Current Financial Position**

Elaine Campbell, financial preparer at Empress Management, was introduced to report on the current financial status of the Association as of September 30, 2019. The Balance Sheet (**Exhibit "A"**), Operating Income Statement (**Exhibit "B"**) and Reserve Income Statement (**Exhibit "C"**) were all discussed. She reported that all of the sub-regimes were current in their HOA dues.

**B. 2020 Budget Draft**

The Board reviewed the 2020 Proposed Operating Budget and determined that they would have to hold a workshop in advance of the October 27, 2019 meeting so they could discuss the line items in depth.

**C. The Snake Chaser Contract Renewal**

The Board reviewed the invoice presented from the Snake Chaser. Mr. Moss requested that The Snake Chaser provide a contract for consideration at the next meeting.

**D. Spectrum Contract**

Mr. Moss stated that he had provided the contract addendum to the Board Members in advance of the meeting prior to signing. He stated that Spectrum will be providing the Association with a check for \$99,900. Jeff Richardson suggested that those funds be used to off-set the cable expenditure in the budget. Upon a motion by Robert Rosencrans,

seconded by Lori Niedzwiecki it was moved that the \$99,900 would be placed into the Reserve Account. The Motion was tabled until later in the discussion. The Board made no decision in this regard. Ms. Johnson reported that the survey had to be accomplished to determine the number of HDMI ports on each TV in each unit, so the equipment would be accurate on the Spectrum work orders. She reported that a channel line-up was available as a handout at the meeting, and each unit would receive up to four boxes at no charge to the Association. Ms. Johnson stated that a block would be placed on each TV account so guests could not order additional services, however, Spectrum cannot block the 411 service on the phone. Owners would be responsible for directory assistance charges if someone in the unit uses that service. Lori Niedzwiecki stated that an RFP needs to be provided to some security companies, but no bids would be accepted from any companies associated with KA Diehl, First Service Residential or Jack. Upon a motion by Jim Perkins, seconded by Lori Niedzwiecki, and unanimously carried, it was;

**MOVED: To obtain 3 proposals for security at the Resort, and request that each company include their recommendation for the property.**

**E. Security – Letter to Securitas from Mr. Lee**

Barbara Johnson stated that Securitas has contacted the management office asking when the Association wants them to leave the property. Ms. Johnson told Securitas that Robert Lee was out of town and he would respond to the email after the Board reached a decision. Jeff Richardson stated that prior to hiring a new security company he Board needs to determine the services. He stated that the owners at Myrtle Beach Resort need to decide if they want to be a gated security. It was suggested that a survey be done for all 997 owners, and the questions should be standardized as to not sway a response. Mr. Moss will determine the questions to be sent to the owners.

**F. Communications Repeater Repair/Purchase**

Ms. Johnson reported that security contacted the Mobile Communication company and a loaner repeater was installed so the hand-held radios would work. Discussion ensued and the Board determined that cell phones could be used by the maintenance staff. The Board advised that the loaner repeater should be picked up and no additional equipment will be repaired or replaced.

**G. Murphy Lawsuit Update**

Ms. Johnson stated that Allegiant Property Management had been served documents on behalf of Myrtle Beach Vacations as they were the rental company handling the unit were the guest was injured. She reported a motion hearing is scheduled for November 4, 2019.

**H. Amendment to Declarations and By-Laws**

Jeff Richardson requested that Nancy Moore provide a presentation of the current 1991 documents with the revised sections highlighted. Mr. Moss thanked Nancy Moore but stated that this was not the suggested changes he was looking for. He asked the Board to have some ideas for the next meeting. Upon a motion by Jim Perkins, seconded by Lori Niedzwiecki and unanimously carried, it was;

**MOVED: To amend the by-laws to allow an electronic voting program to obtain owner opinion with regard to Association issues.**

The Board determined that a paper ballot would have to be sent to the owners to pass the amendment to use an electronic vote going forward. It was determined that Mr. Moss

would formulate the questions for the proxy ballot.

**I. Beach Access Gate at the A Building**

Mr. Moss stated that the A Building hired an attorney to represent them with regard to demanding the removal of the walkway gate at the A Building. Mr. Rosencrans stated that this was done because A Building requested a license agreement from the Master Association prior to re-installing the gate, and it was not received. He stated that the A Building wants to be held harmless against any injuries with regard to the gate, and he said that they had some reported injuries reported to them. Discussion ensued, and the Board directed that all four of the ocean front walkway gates should be removed and stored.

**J. Sink Holes at the Renaissance Tower Parking Lot**

Mr. Moss stated that a proposal was received from Weaver Construction with regard to the sink holes in the Renaissance Tower parking lot. The Board questioned why the Master Association would be responsible for this repair, and it was discussed that the drains under the road are causing the problem. Discussion ensued, and upon a motion by Jeff Richardson, seconded by Jim Perkins, and unanimously carried, it was;

**MOVED: To approve the proposal for repair form Weaver Construction, and to seek a proposal to camera the drain lines on the property to determine if they are eroded and in need of repair, as this is needed for the reserves.**

**K. Hurricane Dorian**

**1. Drainage and Boardwalk Between B and RT**

Ms. Johnson reported that she had an engineer inspect the washout on the beach which occurred during Hurricane Dorian as she was concerned with the structural stability of the walkway. Mr. Moss stated that he viewed the damage and requested some temporary shoring to walkway structure. Ms. Johnson reported she received an estimate from Weaver Construction of approximately \$50,000. She stated that currently the water from the pond empties on the beach under the boardwalk, and OCRM and DHEC may make the Association run the drain into the ocean due to concerns of bacteria in the water which drains from the parking lots. She advised the Board that the current metal pipe appears to be eroded but we will know for sure when the interior of the pipes are viewed with the camera.

**2. BBI Invoice for Hurricane Cleanup**

Ms. Johnson reported that BBI, the current landscaping company is on "First Response" with the Association, which means in the event of a hurricane Myrtle Beach Resort will be one of the properties to get cleaned up first. Robert Rosencrans suggested that the Association contact Master Care Tree Service after a storm. Discussion ensued, and upon a motion by Jeff Richardson, seconded by Jim Perkins and carried, it was;

**MOVED: To pay the BBI Landscaping invoice for storm debris removal and have BBI Landscaping remove Myrtle Beach Resort from the "First Response" list.**

**L. Management Company RFP**

This will be discussed in the workshop on October 27, 2019. The Board discussed a perceived conflict of interest if one management company manages the master association

and one or more of the sub-regimes. Upon a motion by Jeff Richardson, seconded by Jim Perkins and carried, it was;

**MOVED: To obtain owner opinion if there should be an independent management company for the Master Association to avoid a perceived conflict of interest.**

**M. Jim Perkins**

**1. State of the Resort**

Jim Perkins reported that the bucket pool was resurfaced by Ken's Pools as some of the texture was delaminating and there was an issue with the lazy river propeller.

**2. First of Right Refusal**

Jim Perkins stated that he is concerned with the properties owned by the MBR Master Association, that should the Association be dissolved there is no protection with regard who can purchase the properties. Upon a motion by Jim Perkins, it was;

**MOVED: To have the Association attorney propose a Right of First Refusal for Myrtle Beach Resort.**

Jim Perkins withdrew his motion and Kenneth Moss stated he would speak with Robert E. Lee in this regard.

**3. Other**

No other items were discussed.

**N. Robert Rosencrans**

**1. Monthly Bank Statements**

The Board discussed the monthly bank statements and determined that the MBR Board President and Treasurer should receive a copy of the monthly bank statements.

**2. Gate Fee Collection**

This will be discussed at the budget workshop.

**O. Lori Niedzwiecki – Maintenance Area Lease Agreement**

Lori Niedzwiecki presented a lease agreement to the Board in the amount of \$3,000 for the Master Association to rent the current maintenance area. Discussion ensued and the Board determined that the maintenance staff could move the equipment out of the current maintenance area and the maintenance office would be located in the vacant HOA Office. They determined the move would be accomplished by October 31, 2019, and further the trash dumpster would be picked up by October 31, 2019 as well.

**4. Schedule the Next Meeting**

Sunday, October 27, 2019 9:00 AM Budget Workshop - Board Members Only

Sunday, October 27, 2019 at noon in the B Building Conference Room Regular Board Meeting – open to Owners.

**5. Adjournment**

No further business was brought before the Board and, upon a motion duly made, seconded, and carried the meeting was adjourned at 7:15 PM.

Meeting Commenced: 9:00 AM  
Meeting Adjourned: 7:15 PM

Prepared and Submitted by  
Empress Management for:

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Jeff Richardson, MBR HOA Secretary

Approved by:

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Kenneth Moss, MBR HOA President